

# 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, AUGUST 10, 2011  
COMMENCING AT 6.30PM

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**AUBURN CITY COUNCIL**

August 10, 2011  
To the Ordinary Meeting of Council

General Manager's Report

**205/11 Disclosure of Interests**

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C-27-08/03 JB : MW

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**

August 10, 2011  
To the Ordinary Meeting of Council

General Manager's Report

**206/11      Address by Invited Speakers**

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C-28-02/03      JB : MW

**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**

August 10, 2011  
To the Ordinary Meeting of Council

General Manager's Report

**207/11 Confirmation of the Minutes of Previous Meeting**

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C-28-02/03 JB : MW

**SUMMARY**

Confirmation of the minutes of the previous Ordinary Meeting of Council held on July 13, 2011.

**RECOMMENDATION**

*That the minutes of the previous Ordinary Meeting of Council held on July 13, 2011 be confirmed.*

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**AUBURN CITY COUNCIL**

MINUTES OF THE  
**ORDINARY MEETING OF COUNCIL**  
HELD IN THE COUNCIL CHAMBERS  
CIVIC PLACE, 1 SUSAN STREET, AUBURN  
ON WEDNESDAY JULY 13, 2011  
COMMENCING AT 6.30PM

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**PRESENT**

His Worship the Mayor (Clr Oueik), Councillors Anmak (from 6.36pm), Attie, Au, Curtin, Di Paolo, Lam (from 6.40pm), Michels, Simms and Zraika.

**IN ATTENDANCE**

General Manager, Director Business & Finance, Director Planning & Environment, Director Works & Services, Director People & Places, Manager Administration, Manager Parks & Recreation, Manager Strategy, Manager Community Development and Senior Administration Officer.

**APOLOGIES**

There were no apologies tendered.

**169/11 Disclosure of Interests**

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C-27-08/03 JB : MW

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

Item 173/11 Clr Di Paolo Clr Di Paolo declared a non-pecuniary conflict of interest that was less than significant, as she has a relative that lives in the vicinity of the development.

***RESOLVED unanimously on the motion of Clr Oueik, seconded Clr Curtin that the report on the disclosures of interest be received.***

**170/11 Address by Invited Speakers**

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C-28-02/03 JB : MW

<u>Speaker</u>	<u>Item/Subject</u>
Mr F. Di Matteo	149/11 – DA-74/2011 – 27 Mary Street, Auburn.
Ms C. Bruce	149/11 – DA-74/2011 – 27 Mary Street, Auburn.
Ms J. Winters	149/11 – DA-74/2011 – 27 Mary Street, Auburn.
Mr D. Michael	149/11 – DA-74/2011 – 27 Mary Street, Auburn.

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

- 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.***

**171/11 Confirmation of the Minutes of Previous Meeting**

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C-28-02/03 JB : MW

***RESOLVED unanimously on the motion of Clr Simms, seconded Clr Attie that the minutes of the previous Ordinary Meeting of Council held on June 15, 2011 be confirmed.***

**172/11 Matters Determined without Further Debate**

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C-28-02/03 JB : MW

***RESOLVED unanimously on the motion of Clr Simms, seconded Clr Anmak:***

- 1. That Council identify those matters to be dealt with by the exception method.***
- 2. That items 173/11, 175/11, 177/11, 178/11, 180/11, 187/11, 189/11 and 192/11 be dealt with individually and the remaining matters and the recommendations therein be adopted.***

**173/11 Re-submitted Item - 27 Mary Street, Auburn**

DA-74/2011 GF : MW

Mr F. Di Matteo, Ms C. Bruce, Ms J. Winters and Mr D. Michael each in turn, addressed the Council on this matter

Moved Clr Simms, seconded Clr Curtin that Council refuse Development Application No. DA-74/2011 on the following grounds:

1. That the density and height (53 units in 9 storey's) is far above that envisaged by Council when it set a maximum height of 6 storey's for this block in adopting the Auburn Town centre strategy.
2. That the height and density is incompatible with surrounding development.
3. The high number of single aspect units (21 of 52).
4. That the interface of the R2 and B4 zones in this area needs sympathetic development, which is not addressed by this Development Application.
5. That for these, and other reasons detailed in the officer's report, this particular application is not in the public interest.

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

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

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

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

***RESOLVED on the motion of Clr Attie, seconded Clr Anmak that Development Application No. DA-74/2011 for demolition of existing structures and construction of 9 storey mixed use development comprising 53 units over 2 levels of basement car parking and associated stormwater and landscaping works on land at 27 Mary Street, Auburn be approved as a deferred commencement subject to the following appropriate conditions:***

***a) Deferred commencement conditions as follows:***

***DC1. Effective Height***

***The building elements over the effective building height of 27 metres being lift plant overrun and parapet shall be reduced to comply with the Auburn LEP height controls.***

***DC2. Access and stormwater***

***The following issues are required to be addressed:***

***(a) Access Ramp and Access Driveway and Parking***

- The commercial access and residential access way shall be separated by minimum 600mm.***
- Access driveway to the residential parking shall be widened to 6100mm (minimum) to act as two way ramp.***
- The circulation ramps between Lower basement and Upper basement shall be designed as two way curved ramp with the centre median as requested in section 2..5.3 of AS 2890.1-2004.***

- *The access to the on ground floor parking (commercial parking) shall share the residential access driveway for first 6.0 meters from the frontage to function as waiting area.*
- *A turning bay shall be provided on ground floor parking (commercial parking) to comply with AS 2890.1-2004 section 2.4.2.*
- *The access ramp, circulation road way of the ground floor parking area shall be designed to cater for largest vehicle access the commercial facility including the waste collection vehicle. All required swept paths shall be provided on the plan.*
- *Ground floor parking (commercial parking) shall be redesigned to comply with the above. The proposed waste storage area shall be relocated to accommodate off street collection.*
- *Adequate number of off-street parking spaces shall be provided within residential and commercial parking facilities to comply with Auburn parking and loading DCP2010.*
- *The landscaped area shown at the southeast corner shall be removed to accommodate an aligned access driveway with internal driveways.*
- *Intersection areas shall be designed for a B85 vehicle to pass a 899 vehicle.*
- *All dimensions of the access driveways, ramps and circulations roadways shall be annotated on the plans.*
- *A pathway from the Foyer to the rear landscape area shall be provided through the ground floor car parking area.*

**(b) Column positions**

- *All proposed column position shall be clear from parking bay envelop provided on section 5 of As 2890.1.2004 In this regard, a parking envelop shall be clearly shown the plan wherever is a column adjacent to the parking bay.*
- *The columns shown within the commercial tenancy shall be removed.*

**(c) RAMP grades**

- *Grades and levels shall be shown on the plans to comply with AS 2890.1-2004.*
- *Headroom clearance of 2200 mm and 3500mm shall be ensured to comply with the Australian Standards.*

**(d) Ramp Long Section**

- *A detailed long section along the centreline of ramp showing the beam, slab thickness services through the basement shall be submitted to Council to ensure that the headroom clearance is available to access the ground floor parking area including service vehicle.*
- *A long section of the curved ramp along the inner curve and outer curve between the basements shall be submitted to ensure the compliance of As 2890.1-2004.*



**(e) Stormwater plan**

- **An amended stormwater plan shall be submitted to Council addressing the following: All stormwater runoff generated from the subject development shall be discharged to the Council's system in Mary street. The existing stormwater system shall be extended to the discharge point. a new kerb inlet pit with a minimum 2400mm long lintel shall be provided for the connection to the Council stormwater system.**
- **The proposed above ground detention basin shall be design eliminating the cross wall by accommodating 1:10 batter to maximise the use of the open space area.**
- **Additional 20% of storage shall be provided if the storage is provided with landscape/courtyard areas.**
- **Stormwater from front landscape area shall be collected within the property and discharged to the property system.**
- **Overflow from the detention facility shall be directed to the street. Detailed flow path including finish levels shall be shown on the plan.**

b) **On satisfactory completion of the deferred commencement conditions the Standard Conditions as detailed in Council's Standard Conditions Book:**

GE002	GE003	S94023	S94024	GE004	GE006
GE007	GE008	GE009	GE010	GE011	GE012
GE014	GE018	GE019	GE020	GE021	CM001
CM002	CM004A	CM006	CM008	CM009	CM010
CM021	CM023	CM025	CM026	CM041	CM042
CM043	CM045	CM047	CM048	CM051	CM056
EG003	EG004	EG005	EG006	EG007	EG008
CN003	CN005	CP001	CP005	CP006	CP010
CP011	CP017	CP018	CP021	CP023	DS001
DS003	DS004	DS006	DS010	DS013	US009
US012	US013	US027	US028	US035	SE007
WM001	WM004	WM011	WM010	FS006	FS007
FS009	OC002	OC004			

c) **The following special conditions:**

**8. Revised Disabled Ramp Access Mary Street**

**The proposed disabled ramp access from Mary Street shall be redesigned so that the ramp does not immediately adjoin the public way thereby reducing the impact to the street. Any proposed changes must comply with AS1428.1 and the BCA.**

**Reason:- To ensure that the disabled ramp to Mary Street is modified to reduce the impact on the streetscape.**

**9. Toilet facilities to ground floor tenancies**

**Prior to the issue of construction certificate all commercial tenancies shall be supplied with toilet and wash basin facilities.**

**Reason:- To ensure commercial tenancies have adequate amenities.**

**10. Skylights to top floor apartments**

*Prior to the issue of construction certificate the residential apartments on the top floor of the building shall be fitted with skylights to further improve on the solar access.*

*Reason:- To ensure the residential apartments on the top floor best utilise their position and significantly improve their already complying amenity.*

**43. Stormwater disposal**

*All stormwater runoff generated from the proposed development shall be directed to the On Site Detention system prior to being discharged to the existing stormwater drainage system in Mary Street. In this regard, the existing downstream stormwater network shall be extended to the proposed connection.*

*Reason:- To ensure compliance with Councils requirements.*

**44. Street Drainage Construction**

*A 375mm diameter RCP pipe line shall be constructed under the kerb and shall be connected to existing stormwater pit.*

*In this regard:*

- *Prior to the issue of any construction certificate, a detailed plan shall be submitted to Council for approval and approval shall be sought.*
- *A standard grated kerb inlet pit shall be provided at the kerb over the stormwater disposal pipe.*
- *Longitudinal section of the proposed pipe line showing all the services shall be submitted.*
- *Associated assessment fee and construction inspection fee shall be paid to Council.*
- *All associated cost shall be borne by the applicant.*

*Reason:- to ensure stormwater is suitably discharged.*

**45. Submission of full stormwater disposal details**

*Full stormwater drainage details showing the proposed method of stormwater collection and disposal are to be submitted to Council or the Accredited Certifier to ensure the approved stormwater plans are incorporated with the Construction Certificate.*

*The details shall be prepared by a suitably qualified practising Civil/Hydraulic Engineer and must be in accordance "Auburn Development Control Plans 2000 - Stormwater Drainage" and "Australian Rainfall & Runoff 1987".*

*In this regard:*

- *The proposed stormwater system shall be in accordance with the stormwater plan to be approved in the differed commencement conditions.*
- *Additional 20% of storage shall be provided if the storage is provided with landscape/courtyard areas.*
- *Changes to the architectural plans shall be incorporated in the stormwater plans.*

- **Only stormwater runoff generated from the roof areas shall be directed towards the rainwater tank and all grated drain shall be directed towards the OSD facility.**
- **The rainwater runoff from the balconies located at the front of the buildings shall be directed towards the OSD.**
- **A minimum 5000L rainwater tank shall be provided on site and adequate roof areas to comply with the BASIX shall be directed toward the rainwater tank.**

**Reason:- to prevent localised flooding.**

- 46. Basement drainage system  
 Basement drainage is to comply with “Auburn Development Control Plans 2000 Stormwater Drainage”.**

**In this regard:**

- i. Two pump units being installed, the capacity of each being calculated on the basis of a hundred year storm recurrence interval and a storm duration of 5 (five) minutes, one pump acting in reserve capacity.**
- ii. The two pumps being designed to work on an alternate basis to ensure that both pumps receive equal usage and neither pump remains continuously idle.**
- iii. A holding well being provided within the basement, of sufficient capacity to store the discharge based on a hundred year storm recurrence interval and storm duration of ninety minutes. In addition to this an above ground storage shall be provided up to a hundred year storm recurrence interval and storm duration of twelve hours. The holding well is to be designed so that a minimum volume of water is retained in the well for health reasons when the pumps are in the “off” position or if there is a break in electrical supply.**
- iv. A storm of two hours’ duration has been adopted as a basis for determining the size of the well, the assumption being that electrical supply will be reinstated within this period.**
- v. The pump out system is to be independent of any gravity drainage lines, except at the property boundary where a grated surface pit is to be constructed from which a connection will be permitted to the gravity drainage system. The invert levels of the pipes in the grated surface pit are to be such that the outlet from the pump out system is above the inlet of the gravity system.**
- vi. Storage areas and areas used for purposes other than car parking or access aisles are to be constructed a minimum of 100mm above the top water level.**
- vii. The contributing catchment area to the pump out system is to be limited to the access ramp area only and subsoil drainage.**

**Reason:- to prevent localised flooding.**

**47. Engineer Certificate**

***A certificate from a practising hydraulic engineer verifying that the stormwater pump installation and the design with the executed levels shall be submitted to the Council with the work as executed plan.***

***Reason:- to ensure the system has been constructed Council's standards and specifications.***

**48. Stormwater disposal – on-site detention**

***On-site stormwater detention storage is to be provided in conjunction with the stormwater disposal. The storage is to comply with "Auburn Development Control Plans 2000 - Stormwater Drainage". Where multiple detention basins with differing top water levels are used, the basins must be routed to the outlet pit independent of each other.***

***A positive covenant under Section 88E of the Conveyancing Act is to be created on the title of the property detailing the on-site stormwater detention system incorporated in the development. The wording of the instrument is to be submitted and approved by Council prior to lodgement at the Land Titles Office. Evidence confirming the positive covenant has been registered shall be submitted to Council prior to occupation of the building or issue of the occupation certificate.***

***Note:***

- 1. Positive covenant wording shall be obtained from Council prior to lodgement.***
- 2. Work as executed plan shall be accompanied by relevant checklists.***

***Reason:- to prevent localised flooding by ensuring the detention system is maintained as designed.***

**49. Footpath Construction – Mary Street**

***The footpath adjoining the site shall be reconstructed in concrete unit paving in accordance with Auburn Council Town Centre Infrastructure Manual. Site boundary line levels shall be raised to the boundary line levels, with satisfactory end-transitions provided.***

- Detail footpath design shall be submitted and approved by Council's Works and Services section prior to the issue of a Construction Certificate.***
- Street boundary levels obtained from Council shall be incorporated in the design.***
- Boundary line levels shall be 100mm higher than adjacent kerb level.***
- All associated cost shall be borne by the applicant***

***Reason:- to provide a safe footpath for increased pedestrian use and one that will complement the Auburn Town Centre.***

**50. Sight Distance and Driveway**

*The driveway entry and basement ramp entry shall be design in accordance with AS 2890.1 2004. Prior to the issue of Construction certificate, a compliance certificate from a practising civil/traffic engineer shall be submitted to Council. The above compliance certificate shall state that the driveway design does comply with section 3.2.4 of AS 2890.1 2004.*

*Reason:- to ensure the sight distance and to traffic and pedestrian comply with Australian Standards.*

**51. Works-as-Executed Plan**

*Prior to occupation of the building or issue of the occupation certificate, two (2) copies of the Works-as-Executed (W.A.E.) Plan prepared by a registered surveyor and certified by the design engineer shall be submitted to Council. The W.A.E. plan shall show (where applicable):-*

- i) Whether all works have been completed generally with the approved drainage plans.*
- ii) Any departure from the approved plan and conditions.*
- iii) Any additional work that has been undertaken.*
- iv) Location, levels and sizes of pipes and pits.*
- v) Finished floor and finished surface levels. The location of finished levels should in general correspond with those shown on Council's approved drainage plan.*
- vi) Basement pump out volumes.*

*NOTE:- The WAE surface level shall be taken after all landscaping has been completed.*

*In this regard:*

- The above information is to be superimposed on a full sized copy of Council approved drainage plan and is to be submitted to Council.*
- OSD checklists A3, A4 & A5 shall be completed and shall be certified by the practicing hydraulic engineer and the registered surveyor.*

*Reason:- to account for minor variations and to ensure Council has the final details.*

**52. Maintenance schedule - OSD**

*Prior to the issue of the occupation certificate, a maintenance schedule of the proposed on-site detention facility shall be submitted to Council for approval with the stormwater work-as executed plan. This maintenance schedule shall be registered as part of the positive covenant.*

*Reason:- to ensure the onsite detention facility is in good working order.*

- 53. Annual maintenance inspection of OSD**  
*Annual maintenance inspection summary of the onsite detention with associated certificates shall be sent to Council within the first month of every calendar year.*

*In this regard:*

- *All critical inspections shall be carried out by a qualified person.*
- *A maintenance logbook shall be maintained as per the approved maintenance schedule on site and readily available for inspection by a Council officer.*
- *All associated cost shall be borne by the owner.*

*Reason:- to ensure the onsite detention facility is in good working order.*

- 54. Water Quality**  
*All stormwater runoff from the commercial car parking and non-landscaped areas shall be directed through oil and silt arrestor, capable of removing hydro-carbons, prior to discharging into the Council's stormwater system. All associated cost shall be borne by the applicant.*

*Reason:- to avoid pollution of the waterways and drainage system.*

- 55. Median Island Mary Street**  
*Prior to the issue of any Construction certificate, a centre median along Mary street from Park Road to Alice Street shall be constructed by the applicant at no cost to Council.*

*In this regard:*

- *A detailed plan shall be submitted to Council for assessment and approval.*
- *All associated cost shall be borne by the applicant.*
- *All construction inspection shall be carried out by Council.*

*Reason:- To ensure that the development facilitates no delays to through traffic.*

- 56. Street works and ATC Approval**  
*Prior to the issue of any Construction certificate, a detailed plan for the proposed works on street including centre median, pavement marking and signage shall be submitted to Council for Auburn Traffic Committee for approval.*

*The subject plan shall include:*

- *The Mary Street & Alice Street roundabout and the Park Road & Mary Street roundabout.*
- *All existing traffic facilities, signage and markings.*

*Reason:- to comply with the regulatory requirements.*

- 57. Aboveground Power Lines**  
*Where practicable, all existing overhead power lines adjacent to the development site shall be relocated underground to Energy Australia standards and specifications. If not practicable to relocate*

***the power lines underground, arrangements shall be made with Energy Australia to place the conduit to carry those power lines underground so that they can be utilized at a later date by Energy Australia. In this regard all associated costs shall be borne by the applicant.***

***Reason:- to improve the aesthetic quality of the area.***

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

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

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

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

**174/11 Parramatta River Catchment Group (PRCG) 2011**

P-03-06/02 AK : EG

***RESOLVED unanimously on the motion of Clr Attie, seconded Clr Zraika:***

- 1. That Council continue the contribution of \$6,500 per annum for next 2011/2012 financial year commencing from July 2011 for administration of the PRCG.***
- 2. That Council appoint Councillor Michels as its delegate and Councillor Di Paolo as an alternate delegate to the Parramatta River Catchment Group.***
- 3. That Council agree to host meetings on a rotational basis.***

Note: The Council dealt with this matter following its resolution in Item 204/11 as below.

**175/11 Issues Relating to Various Residential Development Controls in Auburn DCP 2010**

D-90-01 AK : EG

Moved Clr Attie, seconded Clr Anmak:

1. That Council resolve to exhibit Draft Auburn Development Control Plan (Amendment No 1) in accordance with the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000 with the following amendments:
  - a) Amend development control D3 in Section 3.2 of the Detached Dwellings and Dual Occupancy Part of Auburn Development Control Plan 2010 to state:
 

D3 Deep soil zones shall have a minimum width of 900mm.
  - b) Amend development control D3 in Section 3.3 of the Residential Flat Building Part of Auburn Development Control Plan 2010 to state:
 

D3 Deep soil zones shall have a minimum width of 900mm.
  - c) Amend development control D1 in Section 2.3.2 of the Detached Dwellings and Dual Occupancy Part of Auburn Development Control Plan 2010 to state:

- D1 The external walls of all dwellings on lots 450m<sup>2</sup> or greater shall be at least 900mm and a maximum of 1.2m from a side boundary.
2. That Council write to the Department of Planning and Infrastructure requesting State Environmental Planning Policy (Affordable Rental Housing) 2009 – Schedule 1 Development Standards for Secondary Dwellings be amended to increase the area of a secondary dwelling from 60m<sup>2</sup> to 75 m<sup>2</sup>.

#### Amendment

An amendment was moved Clr Di Paolo, seconded Clr Curtin that a flyer be produced that clearly explains the resolution in respect to this matter and that it be sent to the every household in the Auburn Local Government Area.

**The amendment was subsequently withdrawn by the mover with the support of the seconder.**

***RESOLVED on the motion of Clr Attie, seconded Clr Zraika:***

1. ***That Council resolve to exhibit Draft Auburn Development Control Plan (Amendment No 1) in accordance with the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000 with the following amendments:***
  - a) ***Amend development control D3 in Section 3.2 of the Detached Dwellings and Dual Occupancy Part of Auburn Development Control Plan 2010 to state:***

***D3 Deep soil zones shall have a minimum width of 900mm.***
  - b) ***Amend development control D3 in Section 3.3 of the Residential Flat Building Part of Auburn Development Control Plan 2010 to state:***

***D3 Deep soil zones shall have a minimum width of 900mm.***
  - c) ***Amend development control D1 in Section 2.3.2 of the Detached Dwellings and Dual Occupancy Part of Auburn Development Control Plan 2010 to state:***

***D1 The external walls of all dwellings on lots 450m<sup>2</sup> or greater shall be at least 900mm and a maximum of 1.2m from a side boundary.***
2. ***That Council write to the Department of Planning and Infrastructure requesting State Environmental Planning Policy (Affordable Rental Housing) 2009 – Schedule 1 Development Standards for Secondary Dwellings be amended to increase the area of a secondary dwelling from 60m<sup>2</sup> to 75 m<sup>2</sup>.***

For: Councillors Oueik, Anmak, Attie, Au, Lam, Michels and Zraika.

Against: Councillors Curtin, Di Paolo and Simms.

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



**175A/11      Matters Arising - Advertising of Proposed Draft Auburn Development Control Plan (Amendment No. 1)**

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D-90-01      AK : EG

Moved Clr Di Paolo, seconded Clr Curtin that a flyer be produced that clearly explains the proposal dealt with in the previous resolution (see Minute No. 175/11 above) and that it be sent to every household in the Auburn Local Government Area.

**The motion was put to the vote and declared lost.**

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

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

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

**176/11      Final Report by Building Professionals Board on Certification of Auburn Central**

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T-10-06/09      GF : CC

***RESOLVED unanimously on the motion of Clr Simms, seconded Clr Anmak:***

- 1. That Council receive and note the final report prepared by the Building Professionals Board on the investigation of work and activities of Auburn Council as a certifying authority of the development known as Auburn Central.***
- 2. That Council write to the Building Professionals Board advising Council has achieved compliance with all of the relevant recommendations of the report.***

**177/11      General Aspects of the Leasing of Council Properties to Community Groups including Auburn/Lidcombe Lions Club Inc.**

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C-32-01/11      AG : TH

Moved Clr Curtin, seconded Clr Di Paolo:

1. That the general aspects of the leasing of Council properties to community groups detailed in this report be received and noted.
2. That Council enter into a lease agreement with Auburn Lidcombe Lions Club Inc for the lease of premises at 69-71 Edgar Street, Auburn for a five (5) year period on the same general terms and conditions that currently apply with a commencing annual rental of \$100.00 (plus GST).
3. That the General Manager be authorised to sign and seal all documents associated with the renewal of the lease agreement.

**Amendment**

An amendment was moved Clr Simms, seconded Clr Attie:

1. That the general aspects of the leasing of Council properties to community groups detailed in this report be received and noted.

2. That Council enter into a lease agreement with Auburn Lidcombe Lions Club Inc for the lease of premises at 69-71 Edgar Street, Auburn for a two (2) year period on the same general terms and conditions that currently apply with a commencing annual rental of \$400.00 (plus GST).
3. That the General Manager be authorised to sign and seal all documents associated with the renewal of the lease agreement.

**The amendment was put to the vote and declared carried on the casting vote of the Mayor and became the motion.**

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

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

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

***RESOLVED on the motion of Clr Simms, seconded Clr Attie:***

1. ***That the general aspects of the leasing of Council properties to community groups detailed in this report be received and noted.***
2. ***That Council enter into a lease agreement with Auburn Lidcombe Lions Club Inc for the lease of premises at 69-71 Edgar Street, Auburn for a two (2) year period on the same general terms and conditions that currently apply with a commencing annual rental of \$400 (plus GST).***
3. ***That the General Manager be authorised to sign and seal all documents associated with the renewal of the lease agreement.***

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

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

**177A/11 Matters Arising - Red Cross Use of Regents Park Community Centre**

C-21-02/08 BC

Clr Curtin requested that a report on the issue of the Red Cross not being allowed to hold their annual meeting at the Regents Park Community Centre be prepared for consideration at the next Ordinary Meeting of Council.

The Mayor ruled that a report on the matter will be prepared for consideration by the Council.

**178/11 Naming of Open Space - MIRVAC Development (Former RAAF Number 2 Stores Depot, Regents Park)**

P-02-01/04 DS : TH

Moved Clr Curtin, seconded Clr Lam that the park be named Stan Hedges Park in acknowledgement of the services of the former Auburn Council Mayor – Mr Stan Hedges.

Amendment

An amendment was moved Clr Simms, seconded Clr Attie:

1. That Council endorse the seeking of community feedback for the proposal to name Lot 27 DP 270505 and Lot 1081545, as RAAF Park.
2. That a further report be prepared for Council's consideration that addresses all public submissions received.
3. That subject to Council approval, the proposed name be submitted to the Geographical Names Board of NSW for adoption.

**The amendment was put to the vote and declared carried on the casting vote of the Mayor and became the motion.**

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

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

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

***RESOLVED on the motion of Clr Simms, seconded Clr Attie:***

1. ***That Council endorse the seeking of community feedback for the proposal to name Lot 27 DP 270505 and Lot 1081545, as RAAF Park.***
2. ***That a further report be prepared for Council's consideration that addresses all public submissions received.***
3. ***That subject to Council approval, the proposed name be submitted to the Geographical Names Board of NSW for adoption.***

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

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

**179/11 AFL International Cup Competition August 2011**

PKM02-01 DS : TH

***RESOLVED unanimously on the motion of Clr Simms, seconded Clr Anmak:***

1. ***That Council note the use of Mona Park for International Cup activities on 16<sup>th</sup> and 17<sup>th</sup> August 2011.***
2. ***That Council waive the \$350.00 ground hire fee for the use of Mona Park in recognition of the significance of the event and the anticipated level of positive media coverage it is likely to generate for Council, the area and the local Auburn Tigers AFL Club.***

**180/11           Tenders for the Design Documentation for the Refurbishment and Upgrade of the Lidcombe Centre for Community**

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T-2011-008      AG : TH

Moved Clr Di Paolo, seconded Clr Curtin that further consideration of the matter be deferred until after the Councillor Workshop on the review of Council's Long Term Financial Plan.

Amendment

An amendment was moved Clr Simms, seconded Clr Anmak:

1. That Council accept the tender received from Tanner Architects Pty Ltd for the provision of the design documentation for the conversion of the Lidcombe Centre for Community to include a new library and multipurpose community centre, for a total lump sum price of \$439,450.00 (excl.GST).
2. That Council accept the tendered rates from Tanner Architects Pty Ltd as set out in the Schedule of Hourly Rates submitted for provision of additional services as required.
3. That the unsuccessful tenderers be advised of Council's decision.

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

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

Against:            Councillors Curtin and Di Paolo.

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

***RESOLVED on the motion of Clr Simms, seconded Clr Anmak:***

1. ***That Council accept the tender received from Tanner Architects Pty Ltd for the provision of the design documentation for the conversion of the Lidcombe Centre for Community to include a new library and multipurpose community centre, for a total lump sum price of \$439,450.00 (excl.GST).***
2. ***That Council accept the tendered rates from Tanner Architects Pty Ltd as set out in the Schedule of Hourly Rates submitted for provision of additional services as required.***
3. ***That the unsuccessful tenderers be advised of Council's decision.***

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

Against:            Councillors Curtin and Di Paolo.

**181/11           Adoption of the Revised Art Purchases Policy**

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C-37-22           BE : MW

***RESOLVED unanimously on the motion of Clr Simms, seconded Clr Anmak that the revised Art Purchases Policy be adopted with no amendments.***

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**182/11            Public Exhibition of the Draft CCTV Policy and Draft Code of Practice**  
 C-37-64            BE : OG
 

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***RESOLVED unanimously on the motion of Clr Simms, seconded Clr Anmak that the Draft CCTV in Public Spaces Policy and Draft Code of Practice be placed on public exhibition for a period of 28 days, after which they will be resubmitted to Council, along with any submissions received for consideration and for adoption.***

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**183/11            Adoption of the Aboriginal Protocols and Guidelines**  
 C-37-67            BE : OG
 

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***RESOLVED unanimously on the motion of Clr Simms, seconded Clr Anmak that the Draft Aboriginal Protocols and Guidelines be adopted as amended.***

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**184/11            Accreditation Results for the Auburn Long Day Care Centre 2011**  
 C-14-02/10        BE : OG
 

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***RESOLVED unanimously on the motion of Clr Simms, seconded Clr Anmak:***

- 1. That the report be received and the information therein be noted.***
- 2. That the staff of the Centre be congratulated on the Accreditation results.***

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**185/11            Amendments to Terms and Conditions of Hire for Community Halls and Meeting Rooms**  
 C-37-01/09        BE : OG
 

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***RESOLVED unanimously on the motion of Clr Simms, seconded Clr Anmak that the revised Conditions of Hire Arrangements for Community Halls and Meeting Rooms be placed on public exhibition for a period of 28, after which time it will be resubmitted to Council, along with any submissions received for consideration and adoption by Council.***

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**186/11            Motions for Local Government Association of NSW - Annual Conference**  
 L-21-01/18        BC : PV
 

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***RESOLVED unanimously on the motion of Clr Simms, seconded Clr Anmak that no further action be taken in respect to this matter.***

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**187/11            Councillor Workshop - Review of Long Term Financial Plan**  
 R-42-01            BC : PV
 

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***RESOLVED unanimously on the motion of Clr Attie, seconded Clr Zraika that a Councillor Workshop be conducted on Thursday, July 28, 2011 commencing at 6.30pm to review the Council's Long Term Financial Plan and related issues in the light of the recent determination by the Independent Pricing and Regulatory Tribunal of the Council's submission on a Special Rate Variation.***

**188/11 Local Government Week 2011 Awards Evening**  
L-29-02/02 BC : MW

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**RESOLVED unanimously on the motion of Clr Simms, seconded Clr Anmak:**

1. ***That Council note the interest expressed by any Councillors in attending the Local Government Week 2011 Awards Evening to be held at The Deckhouse, Woolwich Dock, Sydney on Wednesday August 3, 2011 at 6.30pm.***
2. ***That the Council meet the attendance fee, travel and out of pocket expenses in accordance with its Civic Expenses Policy for those Councillors who have expressed interest in attending the awards ceremony as in 1 above.***

**189/11 GIPA Act - Review of Publication Guide**  
R-16-51 BC : PV

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**RESOLVED unanimously on the motion of Clr Simms, seconded Clr Attie:**

1. ***That the Council's Publication Guide with the revisions as detailed in the subject report, be adopted subject to the concurrence of the Office of the Information Commissioner.***
2. ***That the Office of the Information Commissioner be notified of the Council's action to adopt its Publication Guide as in 1 above in accordance with Section 22(1) of the Government Information (Public Access) Act, 2009.***
3. ***The Council's website be updated to record its re-adoption of its Publication Guide as above.***

**190/11 Amendments to Fees and Charges for 2011-2012**  
F-01-01/05 HWH : MW

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**RESOLVED unanimously on the motion of Clr Simms, seconded Clr Anmak:**

1. ***That the proposed amendments to Council's adopted Fees, as detailed in this report, be placed on public exhibition for a period of 28 days in accordance with Section 610F of the Local Government Act 1993 No 30.***
2. ***That any submissions received during the public exhibition period be reported to the Council when considering the proposed amendments to adopted fees for 2011/2012.***

**191/11 Annual Reporting of Contracts for Senior Staff by General Manager to Council**  
S-10-04/07 PT : MW

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

**192/11**            **SEPP 65 Compliance Issue Relating to Amy Street Proposal (PP-1/2010)**  
PP-1/2010            AK : EG

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

**193/11**            **Supporting Local Businesses with Implementation of Sustainability Practices**  
G-12-39            AK : EG

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

**194/11**            **Increased Funding Received from the Department of Human Services - Ageing, Disability And Home Care**  
G-12-09/02        BE : OG

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

**195/11**            **Funding Received from the Federal Government's Accessible Communities Program**  
G-12-09/02        BE : OG

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

**196/11**            **Progress Report on the Auburn Youth Strategy 2009 - 2012**  
Y-01-09            BE : OG

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

**197/11**            **Constitutional Recognition of Local Government - Reply from Hon Simon Crean MP**  
L-28-01/03        BC : MW

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

**198/11**            **Commonwealth Local Government Reform Fund**  
G-12-08/02        BC : PV

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

**199/11            Division of Local Government - Collaborative Arrangements between Councils**

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L-22-01/07        BC : PV

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

**200/11            Investment Balances as at 31 May, 2011**

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A-05-01/05        HWH : MW

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

**201/11            Investments Report for May 2011**

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A-05-01/05        HWH : MW

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

**202/11            Business and Finance Activity and OH&S Statistics Report for May 2011**

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S-18-08/04        PV : PV

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

**203/11            Report on Actions from Council Decisions**

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C-28-17            BC : MW

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

**204/11            Recommittal of Item 174/11 - Parramatta River Catchment Group (PRCG) 2011**

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C-28-02/03        MW

***RESOLVED unanimously on the motion of Clr Michels, seconded Clr Zraika that Item 174/11 be recommitted for consideration and determination at this point in the meeting.***

Sequence of Items

The Council dealt with Item 174/11 at this point in the meeting immediately after it had dealt with Item 204/11 above, but for the sake of continuity it is recorded in the original sequence of the agenda.



There being no further matters, the meeting was closed at 8.25pm.

CONFIRMED:

\_\_\_\_\_

**MAYOR**

DATE:

\_\_\_\_\_

## AUBURN CITY COUNCIL

August 10, 2011  
To the Ordinary Meeting of Council

Director's Report  
Business & Finance  
Department

## 208/11 Notice of Rescission Motion - 27 Mary Street, Auburn

DA-74/2011 BC : MW

Councillors Di Paolo, Michels and Simms have jointly given notice on July 13, 2011 of their intention to move:

***“That the Council’s resolution in Minute No. 173/11 relating to Development Application DA-74/2011 – 27 Mary Street, Auburn, be rescinded.”***

Minute No. 173/11 is as follows:-

*RESOLVED on the motion of Cllr Attie, seconded Cllr Anmak that Development Application No. DA-74/2011 for demolition of existing structures and construction of 9 storey mixed use development comprising 53 units over 2 levels of basement car parking and associated stormwater and landscaping works on land at 27 Mary Street, Auburn be approved as a deferred commencement subject to the following appropriate conditions:*

a) *Deferred commencement conditions as follows:*

DC1. *Effective Height*

*The building elements over the effective building height of 27 metres being lift plant overrun and parapet shall be reduced to comply with the Auburn LEP height controls.*

DC2. *Access and stormwater*

*The following issues are required to be addressed:*

(a) *Access Ramp and Access Driveway and Parking*

- *The commercial access and residential access way shall be separated by minimum 600mm.*
- *Access driveway to the residential parking shall be widened to 6100mm (minimum) to act as two way ramp.*
- *The circulation ramps between Lower basement and Upper basement shall be designed as two way curved ramp with the centre median as requested in section 2..5.3 of AS 2890.1-2004.*
- *The access to the on ground floor parking (commercial parking) shall share the residential access driveway for first 6.0 meters from the frontage to function as waiting area.*
- *A turning bay shall be provided on ground floor parking (commercial parking) to comply with AS 2890.1-2004 section 2.4.2.*
- *The access ramp, circulation road way of the ground floor parking area shall be designed to cater for largest vehicle access the commercial facility including the waste collection vehicle. All required swept paths shall be provided on the plan.*
- *Ground floor parking (commercial parking) shall be redesigned to comply with the above. The proposed waste storage area shall be relocated to accommodate off street collection.*
- *Adequate number of off-street parking spaces shall be provided within residential and commercial parking facilities to comply with Auburn parking and loading DCP2010.*
- *The landscaped area shown at the southeast corner shall be*

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

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*removed to accommodate an aligned access driveway with internal driveways.*

- *Intersection areas shall be designed for a B85 vehicle to pass a 899 vehicle.*
- *All dimensions of the access driveways, ramps and circulations roadways shall be annotated on the plans.*
- *A pathway from the Foyer to the rear landscape area shall be provided through the ground floor car parking area.*

*(b) Column positions*

- *All proposed column position shall be clear from parking bay envelop provided on section 5 of As 2890.1.2004 In this regard, a parking envelop shall be clearly shown the plan wherever is a column adjacent to the parking bay.*
- *The columns shown within the commercial tenancy shall be removed.*

*(c) RAMP grades*

- *Grades and levels shall be shown on the plans to comply with AS 2890.1-2004.*
- *Headroom clearance of 2200 mm and 3500mm shall be ensured to comply with the Australian Standards.*

*(d) Ramp Long Section*

- *A detailed long section along the centreline of ramp showing the beam, slab thickness services through the basement shall be submitted to Council to ensure that the headroom clearance is available to access the ground floor parking area including service vehicle.*
- *A long section of the curved ramp along the inner curve and outer curve between the basements shall be submitted to ensure the compliance of As 2890.1-2004.*

*(e) Stormwater plan*

*An amended stormwater plan shall be submitted to Council addressing the following:*

- *All stormwater runoff generated from the subject development shall be discharged to the Council's system in Mary street. The existing stormwater system shall be extended to the discharge point. a new kerb inlet pit with a minimum 2400mm long lintel shall be provided for the connection to the Council stormwater system.*
- *The proposed above ground detention basin shall be design eliminating the cross wall by accommodating 1:10 batter to maximise the use of the open space area.*
- *Additional 20% of storage shall be provided if the storage is provided with landscape/courtyard areas.*
- *Stormwater from front landscape area shall be collected within the property and discharged to the property system.*
- *Overflow from the detention facility shall be directed to the street. Detailed flow path including finish levels shall be show on the*

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

*plan.*

- b) *On satisfactory completion of the deferred commencement conditions the Standard Conditions as detailed in Council's Standard Conditions Book:*

GE002	GE003	S94023	S94024	GE004	GE006
GE007	GE008	GE009	GE010	GE011	GE012
GE014	GE018	GE019	GE020	GE021	CM001
CM002	CM004A	CM006	CM008	CM009	CM010
CM021	CM023	CM025	CM026	CM041	CM042
CM043	CM045	CM047	CM048	CM051	CM056
EG003	EG004	EG005	EG006	EG007	EG008
CN003	CN005	CP001	CP005	CP006	CP010
CP011	CP017	CP018	CP021	CP023	DS001
DS003	DS004	DS006	DS010	DS013	US009
US012	US013	US027	US028	US035	SE007
WM001	WM004	WM011	WM010	FS006	FS007
FS009	OC002	OC004			

- c) *The following special conditions:*

8. *Revised Disabled Ramp Access Mary Street*

*The proposed disabled ramp access from Mary Street shall be redesigned so that the ramp does not immediately adjoin the public way thereby reducing the impact to the street. Any proposed changes must comply with AS1428.1 and the BCA.*

*Reason:- To ensure that the disabled ramp to Mary Street is modified to reduce the impact on the streetscape.*

9. *Toilet facilities to ground floor tenancies*

*Prior to the issue of construction certificate all commercial tenancies shall be supplied with toilet and wash basin facilities.*

*Reason:- To ensure commercial tenancies have adequate amenities.*

10. *Skylights to top floor apartments*

*Prior to the issue of construction certificate the residential apartments on the top floor of the building shall be fitted with skylights to further improve on the solar access.*

*Reason:- To ensure the residential apartments on the top floor best utilise their position and significantly improve their already complying amenity.*

43. *Stormwater disposal*

*All stormwater runoff generated from the proposed development shall be directed to the On Site Detention system prior to being discharged to the existing stormwater drainage system in Mary Street. In this regard, the existing downstream stormwater network shall be extended to the proposed connection.*

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

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*Reason:- To ensure compliance with Councils requirements.*

44. Street Drainage Construction

*A 375mm diameter RCP pipe line shall be constructed under the kerb and shall be connected to existing stormwater pit.*

*In this regard:*

- *Prior to the issue of any construction certificate, a detailed plan shall be submitted to Council for approval and approval shall be sought.*
- *A standard grated kerb inlet pit shall be provided at the kerb over the stormwater disposal pipe.*
- *Longitudinal section of the proposed pipe line showing all the services shall be submitted.*
- *Associated assessment fee and construction inspection fee shall be paid to Council.*
- *All associated cost shall be borne by the applicant.*

*Reason:- to ensure stormwater is suitably discharged.*

45. Submission of full stormwater disposal details

*Full stormwater drainage details showing the proposed method of stormwater collection and disposal are to be submitted to Council or the Accredited Certifier to ensure the approved stormwater plans are incorporated with the Construction Certificate.*

*The details shall be prepared by a suitably qualified practising Civil/Hydraulic Engineer and must be in accordance "Auburn Development Control Plans 2000 - Stormwater Drainage" and "Australian Rainfall & Runoff 1987".*

*In this regard:*

- *The proposed stormwater system shall be in accordance with the stormwater plan to be approved in the differed commencement conditions.*
- *Additional 20% of storage shall be provided if the storage is provided with landscape/courtyard areas.*
- *Changes to the architectural plans shall be incorporated in the stormwater plans.*
- *Only stormwater runoff generated from the roof areas shall be directed towards the rainwater tank and all grated drain shall be directed towards the OSD facility.*
- *The rainwater runoff from the balconies located at the front of the buildings shall be directed towards the OSD.*
- *A minimum 5000L rainwater tank shall be provided on site and adequate roof areas to comply with the BASIX shall be directed toward the rainwater tank.*

*Reason:- to prevent localised flooding.*

46. Basement drainage system

*Basement drainage is to comply with "Auburn Development Control Plans*

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

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*2000 Stormwater Drainage”.*

*In this regard:*

- i. Two pump units being installed, the capacity of each being calculated on the basis of a hundred year storm recurrence interval and a storm duration of 5 (five) minutes, one pump acting in reserve capacity.*
- ii. The two pumps being designed to work on an alternate basis to ensure that both pumps receive equal usage and neither pump remains continuously idle.*
- iii. A holding well being provided within the basement, of sufficient capacity to store the discharge based on a hundred year storm recurrence interval and storm duration of ninety minutes. In addition to this an above ground storage shall be provided up to a hundred year storm recurrence interval and storm duration of twelve hours. The holding well is to be designed so that a minimum volume of water is retained in the well for health reasons when the pumps are in the “off” position or if there is a break in electrical supply.*
- iv. A storm of two hours’ duration has been adopted as a basis for determining the size of the well, the assumption being that electrical supply will be reinstated within this period.*
- v. The pump out system is to be independent of any gravity drainage lines, except at the property boundary where a grated surface pit is to be constructed from which a connection will be permitted to the gravity drainage system. The invert levels of the pipes in the grated surface pit are to be such that the outlet from the pump out system is above the inlet of the gravity system.*
- vi. Storage areas and areas used for purposes other than car parking or access aisles are to be constructed a minimum of 100mm above the top water level.*
- vii. The contributing catchment area to the pump out system is to be limited to the access ramp area only and subsoil drainage.*

*Reason:- to prevent localised flooding.*

47. *Engineer Certificate*

*A certificate from a practising hydraulic engineer verifying that the stormwater pump installation and the design with the executed levels shall be submitted to the Council with the work as executed plan.*

*Reason:- to ensure the system has been constructed Council’s standards and specifications.*

48. *Stormwater disposal – on-site detention*

*On-site stormwater detention storage is to be provided in conjunction with the stormwater disposal. The storage is to comply with “Auburn Development Control Plans 2000 - Stormwater Drainage”. Where multiple detention basins with differing top water levels are used, the basins must be routed to the outlet pit independent of each other.*

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

*A positive covenant under Section 88E of the Conveyancing Act is to be created on the title of the property detailing the on-site stormwater detention system incorporated in the development. The wording of the instrument is to be submitted and approved by Council prior to lodgement at the Land Titles Office. Evidence confirming the positive covenant has been registered shall be submitted to Council prior to occupation of the building or issue of the occupation certificate.*

Note:

1. *Positive covenant wording shall be obtained from Council prior to lodgement.*
2. *Work as executed plan shall be accompanied by relevant checklists.*

*Reason:- to prevent localised flooding by ensuring the detention system is maintained as designed.*

49. Footpath Construction – Mary Street

*The footpath adjoining the site shall be reconstructed in concrete unit paving in accordance with Auburn Council Town Centre Infrastructure Manual. Site boundary line levels shall be raised to the boundary line levels, with satisfactory end-transitions provided.*

- *Detail footpath design shall be submitted and approved by Council's Works and Services section prior to the issue of a Construction Certificate.*
- *Street boundary levels obtained from Council shall be incorporated in the design.*
- *Boundary line levels shall be 100mm higher than adjacent kerb level.*
- *All associated cost shall be borne by the applicant*

*Reason:- to provide a safe footpath for increased pedestrian use and one that will complement the Auburn Town Centre.*

50. Sight Distance and Driveway

*The driveway entry and basement ramp entry shall be design in accordance with AS 2890.1 2004. Prior to the issue of Construction certificate, a compliance certificate from a practising civil/traffic engineer shall be submitted to Council. The above compliance certificate shall state that the driveway design does comply with section 3.2.4 of AS 2890.1 2004.*

*Reason:- to ensure the sight distance and to traffic and pedestrian comply with Australian Standards.*

51. Works-as-Executed Plan

*Prior to occupation of the building or issue of the occupation certificate, two (2) copies of the Works-as-Executed (W.A.E.) Plan prepared by a registered surveyor and certified by the design engineer shall be submitted to Council. The W.A.E. plan shall show (where applicable):-*

- i) *Whether all works have been completed generally with the approved*

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

*drainage plans.*

- ii) Any departure from the approved plan and conditions.*
- iii) Any additional work that has been undertaken.*
- iv) Location, levels and sizes of pipes and pits.*
- v) Finished floor and finished surface levels. The location of finished levels should in general correspond with those shown on Council's approved drainage plan.*
- vi) Basement pump out volumes.*

*NOTE:- The WAE surface level shall be taken after all landscaping has been completed.*

*In this regard:*

- The above information is to be superimposed on a full sized copy of Council approved drainage plan and is to be submitted to Council.*
- OSD checklists A3, A4 & A5 shall be completed and shall be certified by the practicing hydraulic engineer and the registered surveyor.*

*Reason:- to account for minor variations and to ensure Council has the final details.*

**52. Maintenance schedule - OSD**

*Prior to the issue of the occupation certificate, a maintenance schedule of the proposed on-site detention facility shall be submitted to Council for approval with the stormwater work-as executed plan. This maintenance schedule shall be registered as part of the positive covenant.*

*Reason:- to ensure the onsite detention facility is in good working order.*

**53. Annual maintenance inspection of OSD**

*Annual maintenance inspection summary of the onsite detention with associated certificates shall be sent to Council within the first month of every calendar year.*

*In this regard:*

- All critical inspections shall be carried out by a qualified person.*
- A maintenance logbook shall be maintained as per the approved maintenance schedule on site and readily available for inspection by a Council officer.*
- All associated cost shall be borne by the owner.*

*Reason:- to ensure the onsite detention facility is in good working order.*

**54. Water Quality**

*All stormwater runoff from the commercial car parking and non-landscaped areas shall be directed through oil and silt arrestor, capable of removing hydro-carbons, prior to discharging into the Council's stormwater system. All associated cost shall be borne by the applicant.*

*Reason:- to avoid pollution of the waterways and drainage system.*

**55. Median Island Mary Street**



Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

*Prior to the issue of any Construction certificate, a centre median along Mary street from Park Road to Alice Street shall be constructed by the applicant at no cost to Council.*

*In this regard:*

- *A detailed plan shall be submitted to Council for assessment and approval.*
- *All associated cost shall be borne by the applicant.*
- *All construction inspection shall be carried out by Council.*

*Reason:- To ensure that the development facilitates no delays to through traffic.*

56. *Street works and ATC Approval*

*Prior to the issue of any Construction certificate, a detailed plan for the proposed works on street including centre median, pavement marking and signage shall be submitted to Council for Auburn Traffic Committee for approval.*

*The subject plan shall include:*

- *The Mary Street & Alice Street roundabout and the Park Road & Mary Street roundabout.*
- *All existing traffic facilities, signage and markings.*

*Reason:- to comply with the regulatory requirements.*

57. *Aboveground Power Lines*

*Where practicable, all existing overhead power lines adjacent to the development site shall be relocated underground to Energy Australia standards and specifications. If not practicable to relocate the power lines underground, arrangements shall be made with Energy Australia to place the conduit to carry those power lines underground so that they can be utilized at a later date by Energy Australia. In this regard all associated costs shall be borne by the applicant.*

*Reason:- to improve the aesthetic quality of the area.*

**COMMENTS BY GENERAL MANAGER**

To facilitate the Council's subsequent considerations if the rescission motion is carried, a copy of the report titled 'Re-submitted Item – 27 Mary Street, Auburn', is provided as an attachment.

**ATTACHMENTS**

1. Previous Report on the matter submitted for consideration at the July 13, 2011 Ordinary Meeting of Council

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

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**ATTACHMENT 1**

**Extract from Business Paper for Meeting of July 13, 2011**

**SUMMARY**

The report on the above mentioned Development Application is re-submitted for consideration.

**RECOMMENDATION**

***Submitted for determination.***

**REPORT**

At its meeting of June 15, 2011 Council resolved (refer Minute 149/11):

*"...that further consideration of the matter be deferred to enable Councillors to undertake an inspection of the subject site."*

To facilitate the Council's subsequent consideration of this matter, a copy of the report on the Development Application for 27 Mary Street, Auburn, which was submitted to the previous meeting of Council as Item 149/11, is provided as an attachment.

It is to be noted that an inspection of the subject site was scheduled for 2.00pm on Tuesday, June 28, 2011.

As requested by Councillors during consideration of this matter at its previous meeting, an additional condition is provided below for inclusion, if deemed appropriate, by any Councillor moving a motion for the approval of the subject Development Application:-

***Prior to the issue of the Construction Certificate, a Construction Management Plan shall be prepared detailing the proposed method of construction for the site and shall detail measures to limit noise generation. The report is required to be certified by an independent qualified acoustic consultant and shall be implemented throughout the construction phase of the development.***

**ATTACHMENTS**

1. Previous Report on the matter submitted for consideration at the June 15, 2011 Ordinary Meeting of Council

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

**Extract from Business Paper for Meeting of June 15, 2011**

**SUMMARY**

<b>Applicant</b>	Mr F Banales
<b>Owner</b>	Mr A Obeid
<b>Application No.</b>	DA-74/2011
<b>Description of Land</b>	Lot 1 DP 774599, 27 Mary Street, AUBURN
<b>Proposed Development</b>	Demolition of existing structures and construction of 9 storey mixed use development comprising 53 units over 2 levels of basement car parking and associated stormwater and landscaping works
<b>Site Area</b>	1707.00m <sup>2</sup>
<b>Zoning</b>	Zone B4 - Mixed Use
<b>Disclosure of political donations and gifts</b>	Nil disclosure
<b>Issues</b>	Building Height Vehicular Access Adaptable Apartments Storage Bicycle Parking Public Submission

**RECOMMENDATION**

1. ***That Development Application No. DA-74/2011 for demolition of existing structures and construction of 9 storey mixed use development comprising 53 units over 2 levels of basement car parking and associated stormwater and landscaping works on land at 27 Mary Street, Auburn be approved as a deferred commencement subject to the following appropriate conditions:***

**a) *Deferred commencement conditions as follows:***

**DC1. Effective Height**

***The building elements over the effective building height of 27 metres being lift plant overrun and parapet shall be reduced to comply with the Auburn LEP height controls.***

**DC2. Access and stormwater**

***The following issues are required to be addressed:***

**(a) *Access Ramp and Access Driveway and Parking***

- ***The commercial access and residential access way shall be separated by minimum 600mm.***
- ***Access driveway to the residential parking shall be widened to 6100mm (minimum) to act as two way ramp.***
- ***The circulation ramps between Lower basement and Upper basement shall be designed as two way curved ramp with the centre median as requested in section 2..5.3 of AS 2890.1-2004.***

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

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**ATTACHMENT 1**

- *The access to the on ground floor parking (commercial parking) shall share the residential access driveway for first 6.0 meters from the frontage to function as waiting area.*
- *A turning bay shall be provided on ground floor parking (commercial parking) to comply with AS 2890.1-2004 section 2.4.2.*
- *The access ramp, circulation road way of the ground floor parking area shall be designed to cater for largest vehicle access the commercial facility including the waste collection vehicle. All required swept paths shall be provided on the plan.*
- *Ground floor parking (commercial parking) shall be redesigned to comply with the above. The proposed waste storage area shall be relocated to accommodate off street collection.*
- *Adequate number of off-street parking spaces shall be provided within residential and commercial parking facilities to comply with Auburn parking and loading DCP2010.*
- *The landscaped area shown at the southeast corner shall be removed to accommodate an aligned access driveway with internal driveways.*
- *Intersection areas shall be designed for a B85 vehicle to pass a 899 vehicle.*
- *All dimensions of the access driveways, ramps and circulations roadways shall be annotated on the plans.*
- *A pathway from the Foyer to the rear landscape area shall be provided through the ground floor car parking area.*

**(b) Column positions**

- *All proposed column position shall be clear from parking bay envelop provided on section 5 of As 2890.1.2004 In this regard, a parking envelop shall be clearly shown the plan wherever is a column adjacent to the parking bay.*
- *The columns shown within the commercial tenancy shall be removed.*

**(c) RAMP grades**

- *Grades and levels shall be shown on the plans to comply with AS 2890.1-2004.*
- *Headroom clearance of 2200 mm and 3500mm shall be ensured to comply with the Australian Standards.*

**(d) Ramp Long Section**

- *A detailed long section along the centreline of ramp showing the beam, slab thickness services through the basement shall be submitted to Council to ensure that the headroom clearance is available to access the ground floor parking area including service vehicle.*
- *A long section of the curved ramp along the inner curve and outer curve between the basements shall be submitted to ensure the compliance of As 2890.1-2004.*

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

**(e) Stormwater plan**

**An amended stormwater plan shall be submitted to Council addressing the following:**

- **All stormwater runoff generated from the subject development shall be discharged to the Council's system in Mary street. The existing stormwater system shall be extended to the discharge point. a new kerb inlet pit with a minimum 2400mm long lintel shall be provided for the connection to the Council stormwater system.**
- **The proposed above ground detention basin shall be design eliminating the cross wall by accommodating 1:10 batter to maximise the use of the open space area.**
- **Additional 20% of storage shall be provided if the storage is provided with landscape/courtyard areas.**
- **Stormwater from front landscape area shall be collected within the property and discharged to the property system.**
- **Overflow from the detention facility shall be directed to the street. Detailed flow path including finish levels shall be show on the plan.**

**b) On satisfactory completion of the deferred commencement conditions the Standard Conditions as detailed in Council's Standard Conditions Book:**

<b>GE002</b>	<b>GE003</b>	<b>S94023</b>	<b>S94024</b>	<b>GE004</b>	<b>GE006</b>
<b>GE007</b>	<b>GE008</b>	<b>GE009</b>	<b>GE010</b>	<b>GE011</b>	<b>GE012</b>
<b>GE014</b>	<b>GE018</b>	<b>GE019</b>	<b>GE020</b>	<b>GE021</b>	<b>CM001</b>
<b>CM002</b>	<b>CM004A</b>	<b>CM006</b>	<b>CM008</b>	<b>CM009</b>	<b>CM010</b>
<b>CM021</b>	<b>CM023</b>	<b>CM025</b>	<b>CM026</b>	<b>CM041</b>	<b>CM042</b>
<b>CM043</b>	<b>CM045</b>	<b>CM047</b>	<b>CM048</b>	<b>CM051</b>	<b>CM056</b>
<b>EG003</b>	<b>EG004</b>	<b>EG005</b>	<b>EG006</b>	<b>EG007</b>	<b>EG008</b>
<b>CN003</b>	<b>CN005</b>	<b>CP001</b>	<b>CP005</b>	<b>CP006</b>	<b>CP010</b>
<b>CP011</b>	<b>CP017</b>	<b>CP018</b>	<b>CP021</b>	<b>CP023</b>	<b>DS001</b>
<b>DS003</b>	<b>DS004</b>	<b>DS006</b>	<b>DS010</b>	<b>DS013</b>	<b>US009</b>
<b>US012</b>	<b>US013</b>	<b>US027</b>	<b>US028</b>	<b>US035</b>	<b>SE007</b>
<b>WM001</b>	<b>WM004</b>	<b>WM011</b>	<b>WM010</b>	<b>FS006</b>	<b>FS007</b>
<b>FS009</b>	<b>OC002</b>	<b>OC004</b>			

**c) The following special conditions:**

**8. Revised Disabled Ramp Access Mary Street**

**The proposed disabled ramp access from Mary Street shall be redesigned so that the ramp does not immediately adjoin the public way thereby reducing the impact to the street. Any proposed changes must comply with AS1428.1 and the BCA.**

**Reason:- To ensure that the disabled ramp to Mary Street is modified to reduce the impact on the streetscape.**

**9. Toilet facilities to ground floor tenancies**

**Prior to the issue of construction certificate all commercial**

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

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**ATTACHMENT 1**

*tenancies shall be supplied with toilet and wash basin facilities.*

*Reason:- To ensure commercial tenancies have adequate amenities.*

**10. Skylights to top floor apartments**

*Prior to the issue of construction certificate the residential apartments on the top floor of the building shall be fitted with skylights to further improve on the solar access.*

*Reason:- To ensure the residential apartments on the top floor best utilise their position and significantly improve their already complying amenity.*

**43. Stormwater disposal**

*All stormwater runoff generated from the proposed development shall be directed to the On Site Detention system prior to being discharged to the existing stormwater drainage system in Mary Street. In this regard, the existing downstream stormwater network shall be extended to the proposed connection.*

*Reason:- To ensure compliance with Councils requirements.*

**44. Street Drainage Construction**

*A 375mm diameter RCP pipe line shall be constructed under the kerb and shall be connected to existing stormwater pit.*

*In this regard:*

- Prior to the issue of any construction certificate, a detailed plan shall be submitted to Council for approval and approval shall be sought.*
- A standard grated kerb inlet pit shall be provided at the kerb over the stormwater disposal pipe.*
- Longitudinal section of the proposed pipe line showing all the services shall be submitted.*
- Associated assessment fee and construction inspection fee shall be paid to Council.*
- All associated cost shall be borne by the applicant.*

*Reason:- to ensure stormwater is suitably discharged.*

**45. Submission of full stormwater disposal details**

*Full stormwater drainage details showing the proposed method of stormwater collection and disposal are to be submitted to Council or the Accredited Certifier to ensure the approved stormwater plans are incorporated with the Construction Certificate.*

*The details shall be prepared by a suitably qualified practising Civil/Hydraulic Engineer and must be in accordance "Auburn Development Control Plans 2000 - Stormwater Drainage" and "Australian Rainfall & Runoff 1987".*

*In this regard:*

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

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**ATTACHMENT 1**

- *The proposed stormwater system shall be in accordance with the stormwater plan to be approved in the differed commencement conditions.*
- *Additional 20% of storage shall be provided if the storage is provided with landscape/courtyard areas.*
- *Changes to the architectural plans shall be incorporated in the stormwater plans.*
- *Only stormwater runoff generated from the roof areas shall be directed towards the rainwater tank and all grated drain shall be directed towards the OSD facility.*
- *The rainwater runoff from the balconies located at the front of the buildings shall be directed towards the OSD.*
- *A minimum 5000L rainwater tank shall be provided on site and adequate roof areas to comply with the BASIX shall be directed toward the rainwater tank.*

*Reason:- to prevent localised flooding.*

**46. Basement drainage system**

*Basement drainage is to comply with "Auburn Development Control Plans 2000 Stormwater Drainage".*

*In this regard:*

- i. Two pump units being installed, the capacity of each being calculated on the basis of a hundred year storm recurrence interval and a storm duration of 5 (five) minutes, one pump acting in reserve capacity.*
- ii. The two pumps being designed to work on an alternate basis to ensure that both pumps receive equal usage and neither pump remains continuously idle.*
- iii. A holding well being provided within the basement, of sufficient capacity to store the discharge based on a hundred year storm recurrence interval and storm duration of ninety minutes. In addition to this an above ground storage shall be provided up to a hundred year storm recurrence interval and storm duration of twelve hours. The holding well is to be designed so that a minimum volume of water is retained in the well for health reasons when the pumps are in the "off" position or if there is a break in electrical supply.*
- iv. A storm of two hours' duration has been adopted as a basis for determining the size of the well, the assumption being that electrical supply will be reinstated within this period.*
- v. The pump out system is to be independent of any gravity drainage lines, except at the property boundary where a grated surface pit is to be constructed from which a connection will be permitted to the gravity drainage system. The invert levels of the pipes in the grated surface pit are to be such that the outlet from the pump out system is above the inlet of the gravity system.*
- vi. Storage areas and areas used for purposes other than car*

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

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**ATTACHMENT 1**

*parking or access aisles are to be constructed a minimum of 100mm above the top water level.*

- vii. The contributing catchment area to the pump out system is to be limited to the access ramp area only and subsoil drainage.*

**Reason:- to prevent localised flooding.**

**47. Engineer Certificate**

*A certificate from a practising hydraulic engineer verifying that the stormwater pump installation and the design with the executed levels shall be submitted to the Council with the work as executed plan.*

**Reason:- to ensure the system has been constructed Council's standards and specifications.**

**48. Stormwater disposal – on-site detention**

*On-site stormwater detention storage is to be provided in conjunction with the stormwater disposal. The storage is to comply with "Auburn Development Control Plans 2000 - Stormwater Drainage". Where multiple detention basins with differing top water levels are used, the basins must be routed to the outlet pit independent of each other.*

*A positive covenant under Section 88E of the Conveyancing Act is to be created on the title of the property detailing the on-site stormwater detention system incorporated in the development. The wording of the instrument is to be submitted and approved by Council prior to lodgement at the Land Titles Office. Evidence confirming the positive covenant has been registered shall be submitted to Council prior to occupation of the building or issue of the occupation certificate.*

**Note:**

- 1. Positive covenant wording shall be obtained from Council prior to lodgement.*
- 2. Work as executed plan shall be accompanied by relevant checklists.*

**Reason:- to prevent localised flooding by ensuring the detention system is maintained as designed.**

**49. Footpath Construction – Mary Street**

*The footpath adjoining the site shall be reconstructed in concrete unit paving in accordance with Auburn Council Town Centre Infrastructure Manual. Site boundary line levels shall be raised to the boundary line levels, with satisfactory end-transitions provided.*

- Detail footpath design shall be submitted and approved by Council's Works and Services section prior to the issue of a Construction Certificate.*



Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

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**ATTACHMENT 1**

- **Street boundary levels obtained from Council shall be incorporated in the design.**
- **Boundary line levels shall be 100mm higher than adjacent kerb level.**
- **All associated cost shall be borne by the applicant**

**Reason:- to provide a safe footpath for increased pedestrian use and one that will complement the Auburn Town Centre.**

**50. Sight Distance and Driveway**

**The driveway entry and basement ramp entry shall be design in accordance with AS 2890.1 2004. Prior to the issue of Construction certificate, a compliance certificate from a practising civil/traffic engineer shall be submitted to Council. The above compliance certificate shall state that the driveway design does comply with section 3.2.4 of AS 2890.1 2004.**

**Reason:- to ensure the sight distance and to traffic and pedestrian comply with Australian Standards.**

**51. Works-as-Executed Plan**

**Prior to occupation of the building or issue of the occupation certificate, two (2) copies of the Works-as-Executed (W.A.E.) Plan prepared by a registered surveyor and certified by the design engineer shall be submitted to Council. The W.A.E. plan shall show (where applicable):-**

- Whether all works have been completed generally with the approved drainage plans.**
- Any departure from the approved plan and conditions.**
- Any additional work that has been undertaken.**
- Location, levels and sizes of pipes and pits.**
- Finished floor and finished surface levels. The location of finished levels should in general correspond with those shown on Council's approved drainage plan.**
- Basement pump out volumes.**

**NOTE:- The WAE surface level shall be taken after all landscaping has been completed.**

**In this regard:**

- **The above information is to be superimposed on a full sized copy of Council approved drainage plan and is to be submitted to Council.**
- **OSD checklists A3, A4 & A5 shall be completed and shall be certified by the practicing hydraulic engineer and the registered surveyor.**

**Reason:- to account for minor variations and to ensure Council has the final details.**

**52. Maintenance schedule - OSD**

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

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**ATTACHMENT 1**

*Prior to the issue of the occupation certificate, a maintenance schedule of the proposed on-site detention facility shall be submitted to Council for approval with the stormwater work-as executed plan. This maintenance schedule shall be registered as part of the positive covenant.*

*Reason:- to ensure the onsite detention facility is in good working order.*

- 53. Annual maintenance inspection of OSD**  
*Annual maintenance inspection summary of the onsite detention with associated certificates shall be sent to Council within the first month of every calendar year.*

*In this regard:*

- All critical inspections shall be carried out by a qualified person.*
- A maintenance logbook shall be maintained as per the approved maintenance schedule on site and readily available for inspection by a Council officer.*
- All associated cost shall be borne by the owner.*

*Reason:- to ensure the onsite detention facility is in good working order.*

- 54. Water Quality**  
*All stormwater runoff from the commercial car parking and non-landscaped areas shall be directed through oil and silt arrestor, capable of removing hydro-carbons, prior to discharging into the Council's stormwater system. All associated cost shall be borne by the applicant.*

*Reason:- to avoid pollution of the waterways and drainage system.*

- 55. Median Island Mary Street**  
*Prior to the issue of any Construction certificate, a centre median along Mary street from Park Road to Alice Street shall be constructed by the applicant at no cost to Council.*

*In this regard:*

- A detailed plan shall be submitted to Council for assessment and approval.*
- All associated cost shall be borne by the applicant.*
- All construction inspection shall be carried out by Council.*

*Reason:- To ensure that the development facilitates no delays to through traffic.*

- 56. Street works and ATC Approval**  
*Prior to the issue of any Construction certificate, a detailed plan for the proposed works on street including centre median, pavement marking and signage shall be submitted to Council for Auburn Traffic Committee for approval.*

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

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**ATTACHMENT 1**

***The subject plan shall include:***

- ***The Mary Street & Alice Street roundabout and the Park Road & Mary Street roundabout.***
- ***All existing traffic facilities, signage and markings.***

***Reason: to comply with the regulatory requirements***

**57. Aboveground Power Lines**

***Where practicable, all existing overhead power lines adjacent to the development site shall be relocated underground to Energy Australia standards and specifications. If not practicable to relocate the power lines underground, arrangements shall be made with Energy Australia to place the conduit to carry those power lines underground so that they can be utilized at a later date by Energy Australia. In this regard all associated costs shall be borne by the applicant.***

***Reason:- to improve the aesthetic quality of the area***

**REPORT**

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**History and Consultations**

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Pre-lodgement Application

The subject proposal has been the subject of pre-lodgement application PL 33/2010. Pre-lodgement advice was provided on the 9 December 2010. The most significant issues identified included:

- The maximum allowable floor space ratio of 3:1 applies to the site. The proposed floor space of 3.37:1 was inconsistent with the control and the proposal would need to be reduced to comply.
- The maximum allowable building height of 27 metres applies to the site. The proposed building height of 29.6 metres at its highest point was inconsistent with the control and the proposal would need to be reduced to comply.
- The site is in close proximity to an item of local heritage significance. Heritage assessment would be required to be addressed.
- Setbacks to commercial component of the development to comply with Clause 3.2 of the Local Centres (LC) section of the Auburn Development Control Plan 2010 (DCP) The residential component is to have increased setbacks in accordance 2.4 of the Residential Flat Building (RFB) section of the DCP
- Clause 2.9 of the RFB DCP requires proposals to be responsive and respectful of items of local heritage significance. A statement of heritage impact is to be submitted.
- 30% Deep soil area is to be provided in accordance with RFB DCP
- The proposal is to be consistent with the Residential Flat Building Design Code.

Subject Development Application

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

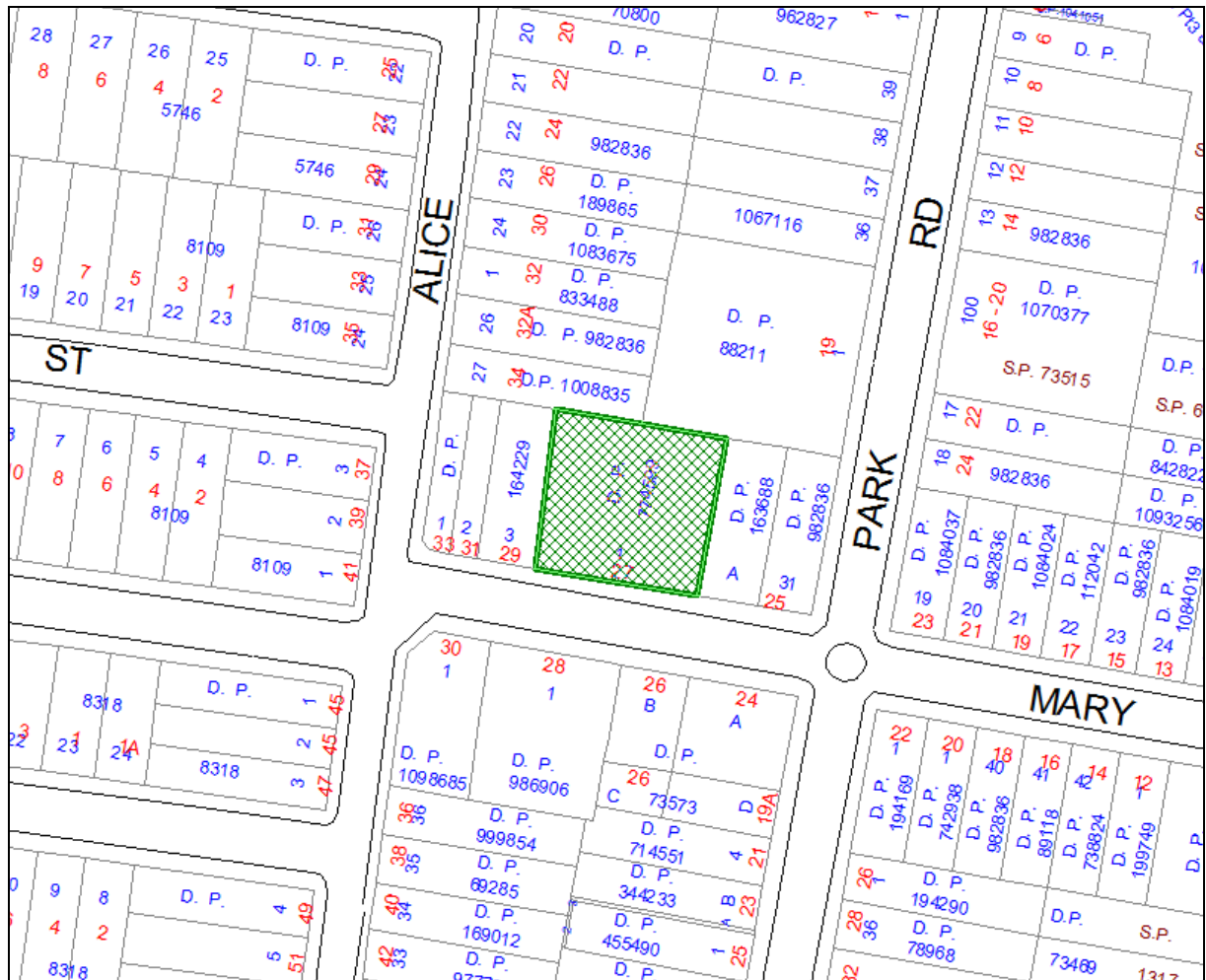
**ATTACHMENT 1**

The subject development application DA 074/2011 was lodged on the 15 March 2011. The application was initially notified from 5 April 2011 to 19 April 2011. This notification included a newspaper advertisement (Auburn Review 5 April 2011) and site notice.

Due to significant public interest in the proposal, re-notification of the proposal was undertaken. The re notification of the proposal occurred from 17 May 2011 to 31 May 2011. The re notification included a new newspaper advertisement (Auburn Review 17 May 2011) and site notice.

**Site and Locality Description**

The subject site is identified as Lot 1 DP 774599 and is known as 27 Mary Street, Auburn. The site is located on the northern side of Mary Street, between intersections with Park Road to the east and Alice Street to the west. The site has dimensions of 43.305 metres (northern rear boundary), 41.48 metres (Mary Street southern boundary) by 40.235 metres (eastern boundary) and 40.28 metres (western boundary) and a total area of approximately 1707 sqm. Existing site improvements include 2 x two storey townhouse buildings and central concrete driveway. Limited general landscaping exists along the boundaries of the site however a number of substantial trees are located along the Mary Street setback of the site and a further 2 trees are located at the north eastern boundary of the land. There is a gentle slope down from the centre of the site outwards.



Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Directly west adjoining the site at 29 Mary Street is a single storey brick dwelling used as a doctors surgery. Adjoining the site east is a single storey brick dwelling. Surrounding development largely consists of single storey residential dwellings however directly north east corner of the site is the existing Trinity Catholic College educational establishment fronting Park Road.

Further north east from the site is a mix of high density residential and commercial development, the Auburn Central development and main town centre. To the south east is a mix of high density residential development, commercial development, educational establishments, medical premises and places of public worship. West of the subject site is principally low density residential development.



**Description of Proposed Development**

Council is in receipt of a development application for the demolition of all existing structures and general clearance of the subject site. In particular the proposal includes the demolition and/or removal of the following:

- The 2 x two storey townhouse buildings;
- Central concrete driveway and concrete paving
- All trees within the site
- Internal terrace housing fences

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

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**ATTACHMENT 1**

- Sandstone edged landscape beds

On the cleared site it is proposed to construct a nine storey mixed use building over two basement levels.

The development is proposed to consist of:

- Four (4) commercial tenancies on the ground floor
- Eighty one (81) onsite vehicular spaces (64 Residential, 12 Visitor, 4 commercial and one combined loading/commercial space)
- fifty three (53) residential units comprising
  - six (6) x 3 bedroom units
  - forty one (41) x 2 bedroom units
  - six (6) x 1 bedroom units

The level by level breakdown is as follows:

Lower Basement Level 1: Basement level 1 will accommodate a total of 35 car spaces with two stairwells and lifts, the vehicular access ramp is located on the eastern side of the basement.

Upper Basement Level 2: Basement level 2 provides a total of 33 car spaces (inclusive of 3 visitor car spaces), two stairwells and lifts and vehicular access ramp on the eastern side of the basement.

Ground Floor Level: at ground level will accommodate 8 visitor car spaces and 4 dedicated commercial car spaces, 1 loading bay, four commercial tenancies ranging in size from 46.81 sqm to 57.34 sqm. The commercial tenancies have direct street pedestrian access, wheelchair access and garbage service room. On the eastern side of the site is the rear parking access ramp and separate basement access ramp. Behind commercial tenancy 4 is the general residential garbage room containing 40 bins.

Accessed via two separate lobbies are the lifts and stairwells. General landscaping is proposed at the Mary Street frontage, western boundary of the site and rear landscaped buffer.

First Floor: 7 x 2 bedroom units and associated balconies, two stairwells and lifts.

Second Floor: 7 x 2 bedroom units and associated balconies, two stairwells and lifts.

Third Floor: 7 x 2 bedroom units and associated balconies, two stairwells and lifts.

Fourth Floor: 7 x 2 bedroom units and associated balconies, two stairwells and lifts.

Fifth Floor: 7 x 2 bedroom units and associated balconies, two stairwells and lifts.

Sixth Floor: 2 x 3 bedroom units, 2 x 2 bedroom units and 2 x 1 bedroom and associated balconies, two stairwells and lifts.

Seven Floor: 2 x 3 bedroom units, 2 x 2 bedroom units and 2 x 1 bedroom and associated balconies, two stairwells and lifts.

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Eighth Floor: 2 x 3 bedroom units, 2 x 2 bedroom units and 2 x 1 bedroom and associated balconies, two stairwells and lifts.

**Referrals**

*Internal Referrals*

Development Engineer

The development application was referred to Council's Development Engineer for comment who has raised no objections to the proposed development subject to conditions of consent.

Building Surveyor

The development application was referred to Council's Building Surveyor for comment who has raised no objections to the proposed development subject to conditions of consent.

Environmental Health

The development application was referred to Council's Environmental Health Officer for comment who has raised no objections to the proposed development subject to conditions of consent.

*External Referrals*

No referrals to any external agencies were required to be undertaken.

**The provisions of any Environmental Planning Instruments (EP& A Act s79C(1)(a)(i))**

State Environmental Planning Policies

**State Environmental Planning Policy No.55 – Remediation of Land**

The requirement at clause 7 of SEPP 55 for Council to be satisfied that the site is suitable or can be made suitable to accommodate the proposed development has been considered in the following table:

<b>Matter for Consideration</b>	<b>Yes/No</b>
Does the application involve re-development of the site or a change of land use?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
In the development going to be used for a sensitive land use (e.g. residential, educational, recreational, childcare or hospital)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does information available to you indicate that an activity listed below has ever been approved, or occurred at the site? Acid/alkali plant and formulation, agricultural/horticultural activities, airports, asbestos production and disposal, chemicals manufacture and formulation, defence works, drum re-conditioning works, dry cleaning establishments, electrical manufacturing (transformers), electroplating and heat treatment premises, engine works, explosive industry, gas works, iron and steel works, landfill sites, metal treatment, mining and extractive industries, oil production and storage, paint formulation and manufacture, pesticide manufacture and formulation, power stations, railway yards, scrap yards, service stations, sheep and cattle dips, smelting and refining, tanning and associated trades, waste storage and treatment, wood preservation.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the site listed on Council's Contaminated Land database?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the site subject to EPA clean-up order or other EPA restrictions?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Matter for Consideration	Yes/No
Has the site been the subject of known pollution incidents or illegal dumping?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the site adjoin any contaminated land/previously contaminated land?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>Details of contamination investigations carried out at the site: A detailed Site Investigation was undertaken at the site by Environmental and Safety Professionals Job ID 16454 dated March 2011. The detailed site investigation included a visual site inspection, site history investigation and soil testing from seven locations over the site. The investigation did not reveal any potential matters of concern with regard to contamination and concludes that the site is suitable for its intended uses with minimal access to soil.</p> <p>Accordingly, Council is satisfied that the site is suitable for its intended use and will not require further testing. The development is acceptable with regard for State Environmental Planning Policy 55 matters.</p> <p>The report does note that demolition of the existing structures on the site may contain hazardous materials (asbestos, fibrous sheeting) and have the potential for contaminating actions during demolition. It is recommended that standard conditions relating to demolition and asbestos removal be imposed on any consent if the proposal is recommended for approval.</p>	
Has the appropriate level of investigation been carried out in respect of contamination matters for Council to be satisfied that the site is suitable to accommodate the proposed development or can be made suitable to accommodate the proposed development?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**SEPP - BASIX**

The relevant information to be included in a BASIX Certificate is considered in the assessment table below:

Requirement	Yes	No	N/A	Comment
<b>PROJECT DETAILS</b>				
Street address, postcode and LGA shown on BASIX Certificate match rest of DA package.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All relevant details are correctly identified on the BASIX Certificate and corresponding plans.
Dwelling type is correctly identified based on BASIX definitions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Number of bedrooms shown on BASIX Certificate is consistent with plans.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Site area shown on BASIX Certificate matches rest of DA package.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Roof area shown on BASIX Certificate matches rest of DA package.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Conditioned and Unconditioned floor areas are in accordance with the BASIX Definitions. (These are for BASIX compliance only; they do not replace any other definitions of floor area.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Total area of garden and lawn indicated on submitted plans is consistent with BASIX Certificate.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>WATER</b>				
Landscape plan indicates areas and species to be planted (where indigenous or low-water use plant species are nominated).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All details are correctly identified.
Rainwater tank(s) shown on plans, tank(s) size stated and tank(s) drawn to scale. If underground tank proposed, then this is clearly stated. Plans show and state roof area draining to rain tank(s), and match the BASIX Certificate.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Rainwater tank(s) meet all other consent authority requirements e.g. height limits at boundary, pump noise standards, insect screens.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Size of swimming pool on plan consistent with volume indicated in BASIX Certificate.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



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Requirement	Yes	No	N/A	Comment
<p><b>THERMAL COMFORT – RAPID</b> Floor construction, eaves, insulation and glazed areas are marked on plans.</p> <p><b>THERMAL COMFORT – DO-IT-YOURSELF</b> Floor/wall/ceiling/roof insulation commitments and roof colour are marked on plans. Wall, floor, ceiling and roof construction types are marked on plans. Glazing is indicated on plans in accordance with BASIX Certificate and if performance glazing is nominated, check that it is clearly labelled. All shading devices and overshadowing objects are clearly marked on the plans in accordance with the BASIX Certificate. If floor concession is claimed, check that 'site slope' or 'flood prone' claim is valid.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All details are correctly identified.
<p><b>THERMAL COMFORT – SIMULATION</b> Assessor Certificate and ABSA-stamped plans are provided. ABSA Specification block is physically attached to plan. Assessor and Certificate numbers in DA package match those on BASIX Certificate. Floor/wall/ceiling/roof insulation commitments and roof colour in BASIX Certificate are marked on plans. If suspended floor concession is claimed on BASIX Certificate, check this has been approved by Assessor on Assessor Certificate.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All details are correctly identified.
<p><b>ENERGY</b> Star rating of any proposed gas hot water system is marked on plans. If solar hot water (SHW), check that system is drawn to scale (typical two panel SHW system is 4sqm) and that panels are located with a northerly aspect. Ensure SHW panels will not be significantly overshadowed by neighbouring buildings/trees. Any external air conditioning unit is marked on plans and is located such that it does not impact onsite or neighbour's amenity (avoid noise source near bedrooms) and complies with any other consent authority requirements. Any BASIX energy efficient lighting commitment is annotated on plans. Any pool or spa heating system and timer control is annotated on plans. Photovoltaic panels are not going to be significantly overshadowed. Panel area is approximately drawn to scale: surface area of a 1kWh photovoltaic system is approximately 8sqm.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All details are correctly identified.

The BASIX Report indicates that the development will comply with the BASIX requirements subject to the recommendations contained in the report being undertaken. It is considered appropriate to incorporate the report into any consent that may be issued.

Comments

The BASIX information and certificates submitted with the application are considered to be satisfactory and meets the requirements of this planning instrument.

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**ATTACHMENT 1**

**State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings**

The provisions and design quality principles of SEPP 65 have been considered in the assessment of the development application within the following table:

Requirement	Yes	No	N/A	Comment
<p>Clause 2 Aims objectives etc.</p> <p>(3) <i>Improving the design quality of residential flat development aims:</i></p> <p>(a) <i>to ensure that it contributes to the sustainable development of NSW:</i></p> <p style="padding-left: 20px;">(i) <i>by providing sustainable housing in social and environmental terms</i></p> <p style="padding-left: 20px;">(ii) <i>by being a long-term asset to its neighbourhood</i></p> <p style="padding-left: 20px;">(iii) <i>by achieving the urban planning policies for its regional and local contexts</i></p> <p>(b) <i>to achieve better built form and aesthetics of buildings and of the streetscapes and the public spaces they define</i></p> <p>(c) <i>to better satisfy the increasing demand, the changing social and demographic profile of the community, and the needs of the widest range of people from childhood to old age, including those with disabilities</i></p> <p>(d) <i>to maximise amenity, safety and security for the benefit of its occupants and the wider community</i></p> <p>(e) <i>to minimise the consumption of energy from non-renewable resources to conserve the environment and to reduce greenhouse gas emissions</i></p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>The development is considered to be in accordance with the aims and objectives of State Environmental Planning Policy 65</p>
<p>Clause 30 Determination of DAs</p> <p>(1) <i>After receipt of a DA, the advice of the relevant design review panel (if any) is to be obtained concerning the design quality of the residential flat development</i></p> <p>(2) <i>In determining a DA, the following is to be considered:</i></p> <p style="padding-left: 20px;">(a) <i>the advice of the design review panel (if any)</i></p> <p style="padding-left: 20px;">(b) <i>the design quality of the residential flat development when evaluated in accordance with the design quality principles</i></p> <p style="padding-left: 20px;">(c) <i>the publication "Residential Flat Design Code" – DoP Sept. 2002</i></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>No formalised Design Review Panel exists in respect of the Auburn LGA</p> <p>Refer discussion of design quality principles below.</p> <p>Refer discussion of Residential Flat Design Code below.</p>
<b>Part 2 Design quality principles</b>				

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Requirement	Yes	No	N/A	Comment
<p><u>Principle 1: Context</u> Good design responds and contributes to its context. Context can be defined as the key natural and built features of an area. Responding to context involves identifying the desirable elements of a location's current character or, in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies. New buildings will thereby contribute to the quality and identity in the area.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The site has been the subject of rezoning from a 2(b) Medium Density Zone under the Auburn Local Environmental Plan 2000 to a Zone B4 – Mixed Use and revised development standards substantially increasing the allowable building height and floor space ratio. The planning intentions and detailed development controls in place encourage redevelopment for the purpose of high-density residential with lesser elements of commercial and retail consistent with an urban centre expansion locality. The development will represent the commencement of the Auburn town centre expansion in accordance with the intentions of the Auburn Local Environmental Plan 2010.</p>
<p><u>Principle 2: Scale</u> Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings. Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired future character of the area.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The scale of the development being compliant with the height and floor space ratio controls of the Auburn Local Environmental Plan 2010 is considered to be appropriate. The new height and floor space ratio reflects the future desired character of the locality. The development is accordingly considered acceptable in this regard. (A very minor variation to the building height standards is identified as it is recommended that this matter be addressed as a condition of development consent.)</p>
<p><u>Principle 3: Built form</u> Good design achieves an appropriate built form for a site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements. Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposal will result in a high quality development which will establish the appropriate level of development in accordance with the desired future character of the zone and locality.</p>
<p><u>Principle 4: Density</u> Good design has a density appropriate for a site and its context, in terms of floor space yields (or number of units or residents). Appropriate densities are sustainable and consistent with the existing density in an area, or in precincts undergoing a transition, are consistent with the stated desired future density. Sustainable densities respond to the regional context, availability of infrastructure, public transport, community facilities and environmental quality.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>With the new Zone B4 – Mixed Use the zone and the immediate locality is an area designated for high density mixed use development.</p> <p>The development will contribute 53 new units that will contribute to the redevelopment of the area. The proposal is within the permissible total height and FSR allowable for zone. No objection is raised to the development in relation to density objectives.</p>

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**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
<p><u>Principle 5: Resource, energy and water efficiency</u> Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction. Sustainability is integral to the design process. Aspects include demolition of existing structures, recycling of materials, selection of appropriate and sustainable materials, adaptability and reuse of buildings, layouts and built form, passive solar design principles, efficient appliances and mechanical services, soil zones for vegetation and reuse of water.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A BASIX Certificate has been submitted with the development application. Further, an ABSA building sustainability assessment report has been prepared to accompany the certificate.</p> <p>The certificates require sustainable development features to be installed into the development.</p> <p>The development incorporates appropriate energy efficient fixtures and fittings. A water reuse system is also provided.</p> <p>In this regard the proposal is considered acceptable.</p>
<p><u>Principle 6: Landscape</u> Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain. Landscape design buildings on the existing site's natural and cultural features in responsible and creative ways. It enhances the development's natural environmental performance by co-ordinating water and soil management, solar access, micro-climate, tree canopy and habitat vales. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbourhood character, or desired future character. Landscape design should optimise useability, privacy and social opportunity, equitable access and respect for neighbour's amenity, and provide for practical establishment and long term management</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Landscaping has been integrated into the public domain area of the Mary Street elevation of the building to enhance the commercial/ public domain interface.</p> <p>Additional landscaping is provided at the rear of the site to achieve deep soil and communal outdoor space objectives of the SEPP and Residential flat building design code and residential flat building DCP.</p> <p>The proposal is considered to be acceptable in this regard.</p>
<p><u>Principle 7: Amenity</u> Good design provides amenity through the physical, spatial and environmental quality of a development. Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and ease of access for all age groups and degrees of mobility.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Council is satisfied that the proposal will deliver an acceptable amenity to residents of the building. The units within the development have access to natural ventilation, solar access, visual and acoustic privacy and efficiency of layout and service areas. The proposal substantially complies with the Residential Flat Building Design Code and Residential Flat Building DCP which contains numerous amenity controls. The development is acceptable in this regard.</p>

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Requirement	Yes	No	N/A	Comment
<p><u>Principal 8: Safety and security</u> Good design optimises safety and security, both internal to the development and for the public domain. This is achieved by maximising overlooking of public and communal spaces while maintaining internal privacy, avoiding dark and non-visible areas, maximising activity on streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Passive surveillance of public and communal open space is maximised through orientation of units.</p> <p>The position and orientation of the various building elements allow balconies and habitable rooms of apartments to overlook the streets and rear open space area.</p> <p>Street level activity will be encouraged via the provision of two separate residential building entries and direct public access from the pedestrian footpath to the commercial tenancies.</p> <p>Lift foyers and basement car parking will be appropriately secured with security cards and intercom access for visitors.</p>
<p><u>Principal 9: Social dimensions</u> Good design responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities. New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood, or in the case of precincts undergoing transition, provide for the desired future community.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The building will introduce an appropriate mix of 1, 2 and 3 bedroom residential apartments and commercial tenancies in accordance with the zoning of the site and future desired character of a locality undergoing transition.</p> <p>The development is considered to be acceptable in this regard.</p>
<p><u>Principle 10: Aesthetics</u> Quality aesthetics reflect the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. Aesthetics should respond to the environment and context, particularly to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The building responds well in this regard with its provision of good aesthetics through the use of high quality materials, attention to detail in its internal spaces and how it addresses Mary Street. The building will set an appropriate benchmark for future development in the locality. No objection is raised in this regard to the development.</p>
<p><u>Clause 30 Determination of DAs</u> After receipt of a DA, the advice of the relevant design review panel (if any) is to be obtained concerning the design quality of the residential flat development. In determining a DA, the following is to be considered:</p> <ul style="list-style-type: none"> <li>• The advice of the design review panel (if any);</li> <li>• The design quality of the residential flat development when evaluated in accordance with the design quality principles;</li> </ul> <p>The publication "Residential Flat Design Code" – Department of Planning, September 2002.</p>	<input type="checkbox"/>  <input type="checkbox"/> <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/> <input type="checkbox"/>  <input type="checkbox"/>	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/> <input type="checkbox"/>  <input type="checkbox"/>	<p>Auburn City Council does not employ a formal design review panel.</p> <p>The design quality principles have been considered above and the Residential Flat Design Code is considered in the assessment table immediately below.</p>

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The development controls and site and building design requirements within the Residential Flat Design Code have been considered in the assessment of the development application within the following table:

Requirement	Yes	No	N/A	Comment
<b>Part 01 Local Context</b>				
<i>Building Type</i>				
<ul style="list-style-type: none"> <li>• Residential Flat Building</li> <li>• Terrace</li> <li>• Townhouse</li> <li>• Mixed-use development</li> <li>• Hybrid</li> </ul> (refer p8-17 of Design Code)	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	The proposed development consists of a mixed residential flat building tower complex with ground floor commercial tenancies. There is car parking situated at the ground floor and two basement levels.
<i>Subdivision and Amalgamation</i>				
Objectives <ul style="list-style-type: none"> <li>• Subdivision/amalgamation pattern arising from the development site suitable given surrounding local context and future desired context.</li> <li>• Isolated or disadvantaged sites avoided.</li> </ul>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	A subdivision of the site into smaller lots is not proposed. No strata subdivision of the proposal is proposed. This section is not applicable to the development.
<i>Building Height</i>				
Objectives <ul style="list-style-type: none"> <li>• To ensure future development responds to the desired scale and character of the street and local area.</li> <li>• To allow reasonable daylight access to all developments and the public domain.</li> </ul>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	The development is compliant with the height controls stipulated for the B4 – Mixed Use zone and is in accordance with the desired future scale and character of the area.  The units within the development receive an acceptable level of solar access. Due to the location of the public domain element of the building on the southern side of the building, the public domain will receive limited daylight access. This is an unavoidable site constraint and accordingly considered acceptable in this instance.
<i>Building Depth</i>				
Objectives <ul style="list-style-type: none"> <li>• To ensure that the bulk of the development is in scale with the existing or desired future context.</li> <li>• To provide adequate amenity for building occupants in terms of sun access and natural ventilation.</li> <li>• To provide for dual aspect apartments.</li> </ul>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	The bulk and scale of the development is in accordance with the desired future character of the zone and future context. The building is considered to provide adequate amenity for the building occupants with regard to solar access and natural ventilation. The proposal provides for numerous dual aspect apartments.

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**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
<b>Controls</b>				
<ul style="list-style-type: none"> <li>• <b>The maximum internal plan depth of a building should be 18 metres from glass line to glass line.</b></li> <li>• Freestanding buildings (the big house or tower building types) may have greater depth than 18 metres only if they still achieve satisfactory daylight and natural ventilation.</li> <li>• Slim buildings facilitate dual aspect apartments, daylight access and natural ventilation.</li> <li>• In general an apartment building depth of 10-18m is appropriate. Developments that propose wider than 18m must demonstrate for satisfactory day lighting and natural ventilation are to be achieved.</li> </ul>	<input type="checkbox"/>  <input checked="" type="checkbox"/>  <input type="checkbox"/>  <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input checked="" type="checkbox"/>  <input type="checkbox"/>	<p>The building exceeds 18 metre plan depth glass line to glass line, having a depth of up to approximately 20.8m in some areas. However, the building being tower type structure achieves satisfactory daylight and natural ventilation for the units within the development.</p> <p>The design proposed achieves 80% compliance with the minimum 3 hours of solar access to the units living rooms and balconies on June 21 and 60 % of units having openings on 2 elevations of the building.</p> <p>The development is acceptable in this regard.</p>
<b>Building Separation</b>				
<b>Objectives</b>				
<ul style="list-style-type: none"> <li>• To ensure that new development is scaled to support the desired area character with appropriate massing and spaces between buildings.</li> <li>• To provide visual and acoustic privacy for existing and new residents.</li> <li>• To control overshadowing of adjacent properties and private or shared open space.</li> <li>• To allow for the provision of open space with appropriate size and proportion for recreational activities for building occupants.</li> <li>• To provide deep soil zones for stormwater management and tree planting, where contextual and site conditions allow.</li> </ul>	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<p>The building scale is appropriate to the desired future character of the area. The building will be the first in the immediate locality.</p>

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**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
<p>Controls</p> <ul style="list-style-type: none"> <li>• For buildings over three storeys, building separation should increase in proportion to building height: <ul style="list-style-type: none"> <li>○ Up to 4 storeys/12 metres: <ul style="list-style-type: none"> <li>▪ 12m between habitable rooms/balconies <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>▪ 9m between habitable rooms/balconies and non habitable rooms <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>▪ 6m between non habitable rooms <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> </ul> </li> <li>○ 5-8 storeys/up to 25 metres: <ul style="list-style-type: none"> <li>▪ 18m between habitable rooms/balconies <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/></li> <li>▪ 13m between habitable rooms/balconies and non habitable rooms <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/></li> <li>▪ 9m between non habitable rooms <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/></li> </ul> </li> <li>○ 9 storeys and above/over 25 metres: <ul style="list-style-type: none"> <li>▪ 24m between habitable rooms/balconies <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/></li> <li>▪ 18m between habitable rooms/balconies and non habitable rooms <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/></li> <li>▪ 12m between non habitable rooms <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/></li> </ul> </li> </ul> </li> <li>• Allow zero separation in appropriate contexts, such as in urban areas between street wall building types (party walls)</li> <li>• Where a building step back creates a terrace, the building separation distance for the floor below applies.</li> <li>• Coordinate building separation controls with side and rear setback controls – in a suburban area where a strong rhythm has been established between buildings, smaller building separations may be appropriate.</li> <li>• Coordinate building separation controls with controls for daylight access, visual privacy and acoustic privacy.</li> <li>• Protect the privacy of neighbours who share a building entry and whose apartments face each other by designing internal courtyards with greater building separation</li> <li>• Developments that propose less than the recommended distances apart must demonstrate that daylight access, urban form and visual and acoustic privacy has been satisfactorily achieved.</li> </ul>				<p>Roof height = 27 metres (additional for parapet and lift overrun) and nine (9) storeys.</p> <p>All existing adjoining development comprises single storey dwellings to the east and west of the site and a two storey building of the educational establishment to the northeast.</p> <p>With regard to the single storey building to the west (29 Mary Street, Auburn – Doctors Surgery) a minimum internal setback of 2.898 metres is provided to the property boundary and the at their closest point, a 6 metre setback is provided between commercial tenancy 1 (non habitable) and the physical wall of the dwelling. The driveway for number 29 Mary Street is also located between eastern side of the existing building. On the first floor of the proposal the bedrooms (non habitable) of the closest unit has been located along to the boundary and the primary living area (habitable space) and balcony of the unit is located and orientated towards Mary Street elevation. The building separation proposed on the western boundary is considered appropriate in this instance.</p> <p>With regard to the adjoining dwelling to the east (25A Mary Street – Dwelling) a minimum internal separation distance of 6.351 metres is provided due to the location of the driveways (basement and rear access) being proposed on this side of the building. The ground floor comprises another commercial tenancy with no windows orientated towards the adjoining property. On the first floor of the proposal the unit nearest to the adjoining dwelling has no windows proposed in the living room (habitable room) and a window from the kitchen only. Given the angle greater than 9 metres of separation to the adjoining existing dwelling will be provided. Accordingly the building separation as proposed is acceptable in this instance.</p> <p>A minimum setback of 11.265 metres is proposed to the northern boundary and with the setback of the existing two storey building of the educational establishment will exceed 12 metres to separation to any adjoining building. Accordingly the building is considered to be optimally sited with regard to building separation.</p> <p>In terms of potential future developments to the immediate east and west of site, the proposed development is considered to be appropriately designed to allow for similar high density developments without any significant impacts on amenity, noise or the like. This is largely</p>



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**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
<i>Street Setbacks</i>				
Objectives				
<ul style="list-style-type: none"> <li>To establish the desired spatial proportions of the street and define the street edge.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A ground floor setback of 4 metres is proposed from Mary Street to the commercial tenancies. This setback allows for stairs, a wheelchair ramps and significant attractive landscaping elements.</p> <p>The entry lobbies to the residential component of the building are semi recessed behind the commercial facades but still identifiable from Mary Street.</p> <p>The development is considered to be acceptable in this regard.</p>
<ul style="list-style-type: none"> <li>To create a clear threshold by providing a transition between public and private space.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>To assist in achieving good visual privacy to apartments from the street.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>To create good quality entry spaces to lobbies, foyers or individual dwelling entrances.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>To allow an outlook to and surveillance of the street.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>To allow for street landscape character.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Controls				
<ul style="list-style-type: none"> <li>Minimise overshadowing of the street and/or other buildings.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Overshadowing of the street is unavoidable in this instance given the site location. This is a constraint of the existing site and increasing the street setback will not result in an effective improvement to overshadowing without being detrimental to other setbacks within the locality. The proposed street setback is considered to be optimal and appropriate in this instance.</p> <p>There are no unacceptable encroachments (inclusive of the first floor balcony over nor does the basement protrude more than 1 metre.) The development is acceptable in this regard.</p>
<ul style="list-style-type: none"> <li>In general no part of a building or above ground structure may encroach into a setback zone – exceptions are underground parking structures no more than 1.2m above ground where this is consistent with the desired streetscape, awnings, balconies and bay windows.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Objectives – Side Setbacks				
<ul style="list-style-type: none"> <li>To minimise the impact of development on light, air, sun, privacy, views and outlook for neighbouring properties, including future buildings.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Sufficient side and rear setbacks have been proposed (discussed in detail under Building Separation) and are considered acceptable in particular to preserve visual and acoustic privacy. The setbacks will also be discussed later in the report under the Local Centres DCP and Residential Flat Building DCP.</p>
<ul style="list-style-type: none"> <li>To retain or create a rhythm or pattern of development that positively defines the streetscape so that space is not just what is left over around the building form.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Objectives – Rear Setbacks				
<ul style="list-style-type: none"> <li>To maintain deep soil zones to maximise natural site drainage and protect the water table.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The rear setback provides for a significant deep soil area within the site.</p> <p>The rear setback area also affords ample area for the provision of significant mature vegetation and provides a functional outdoor communal open space area.</p>
<ul style="list-style-type: none"> <li>To maximise the opportunity to retain and reinforce mature vegetation.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>To optimise the use of land at the rear and surveillance of the street at the front.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>To maximise building separation to provide visual and acoustic privacy</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
<b>Controls</b>				
<ul style="list-style-type: none"> <li>Where setbacks are limited by lot size and adjacent buildings, 'step in' the plan on deep building to provide internal courtyards and to limit the length of walls facing boundaries.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The building is considered to be appropriately sited with regard to side and rear setbacks. The development is acceptable in this regard.
<ul style="list-style-type: none"> <li>In general no part of a building or above ground structure may encroach into a setback zone – exceptions are underground parking structures no more than 1.2m above ground where this is consistent with the desired streetscape, awnings, balconies and bay windows.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Floor Space Ratio</b>				
<b>Objectives</b>				
<ul style="list-style-type: none"> <li>To ensure that development is in keeping with the optimum capacity of the site and the local area.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed Floor space ratio of the building is 2.94 : 1 which complies with the maximum allowable 3 : 1 under the ALEP 2010. The development will help establish the future desired density for the locality in accordance with the new ALEP.  The building will have satisfactory daylight access and natural ventilation. The proposed balconies are considered to be of suitable size.
<ul style="list-style-type: none"> <li>To define allowable development density for generic building types.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>To provide opportunities for modulation and depth of external walls within the allowable FSR.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>To promote thin cross section buildings, which maximise daylight access and natural ventilation.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>To allow generous habitable balconies.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Part 02 Site Design</b>				
<b>Site Analysis</b>				
<ul style="list-style-type: none"> <li>Site analysis should include plan and section drawings of the existing features of the site, at the same scale as the site and landscape plan, together with appropriate written material (refer page 39 of Design Code for requirements)</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A suitable site analysis plan has been submitted which also defines the potential building envelopes for development on the adjoining sites.
<ul style="list-style-type: none"> <li>A written statement explaining how the design of the proposed development has responded to the site analysis must accompany the application</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A Design Verification Statement and Statement of Environmental Effects have been prepared and submitted by Jon Mathias (registration number 3138) and Arkivis P/L which discuss the features of the design and their response to the site analysis.
<b>Deep Soil Zones</b>				
<b>Objectives</b>				
<ul style="list-style-type: none"> <li>To assist with management of the water table</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A deep soil zone of 535.84 or 31.4% of the site is proposed for the development. The width of the deep soil zone allows for the planting of medium to large trees. The development is acceptable in this regard.
<ul style="list-style-type: none"> <li>To assist with management of water quality</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>To improve the amenity of developments through the retention and/or planting of large and medium size trees</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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Requirement	Yes	No	N/A	Comment
<b>Design Practice</b> <ul style="list-style-type: none"> <li>Optimise the provision of consolidated deep soil zones within a site by the design of basement and sub basement car parking so as not to fully cover the site; and the use of front and side setbacks.</li> <li>Optimise the extent of deep soil zones beyond the site boundaries by locating them with the deep soil zones of adjacent properties.</li> <li>Promote landscape health by supporting for a rich variety of vegetation type and size.</li> <li>Increase the permeability of paved areas by limiting the area of paving and/or using impervious materials.</li> <li>A minimum of 25% of the open space area of a site should be a deep soil zone.</li> </ul>	<input checked="" type="checkbox"/>          <input checked="" type="checkbox"/>	<input type="checkbox"/>          <input type="checkbox"/>	<input type="checkbox"/>          <input type="checkbox"/>	<p>The proposed basement does not occupy the entirety of the site. A 10.165 metre setback for the northern boundary to the basement provides for the deeps soil zone.</p> <p>The deep soil zone has connectivity to adjoining rear yards at 29 and 25A Mary Street, Auburn.</p> <p>The proposed deep soil zone will be capable of supporting significant trees.</p> <p>Any paving over the deep soil zone is comprised of loose stepping stones and pebbles maintaining the permeability of the soil.</p> <p>31.4% proposed.</p>
<b>Fences and Walls</b>				
<b>Objectives</b> <ul style="list-style-type: none"> <li>To define the edges between public and private land.</li> <li>To define the boundaries between areas within the development having different functions or owners.</li> <li>To provide privacy and security.</li> <li>To contribute positively to the public domain.</li> </ul>	<input checked="" type="checkbox"/>          <input checked="" type="checkbox"/>	<input type="checkbox"/>          <input type="checkbox"/>	<input type="checkbox"/>          <input type="checkbox"/>	<p>The separation between the street and commercial tenancies is defined via the provision of stairs, landscaping and level changes. The separate residential lobbies entries lie behind the façade of the commercial tenancies however are identifiable from the street.</p>
<b>Design Practice</b> <ul style="list-style-type: none"> <li>Respond to the identified architectural character for the street and/or the area (refer page 45 of the Design Code for design considerations)</li> <li>Clearly delineate the private and public domain without compromising safety and security by designing fences and walls which provide privacy and security while not eliminating views, outlook, light and air; and limiting the length and height of retaining walls along street frontages.</li> <li>Contribute to the amenity, beauty and useability of private and communal open spaces by incorporating benches and seats; planter boxes; pergolas and trellises; BBQs; water features; composting boxes and worm farms.</li> <li>Retain and enhance the amenity of the public domain by avoiding the use of continuous blank walls at street level; and using planting to soften the edges of any raised terraces to the street, such as over sub basement car parking and reduce their apparent scale.</li> <li>Select durable materials which are easily cleaned and graffiti resistant</li> </ul>	<input checked="" type="checkbox"/>          <input checked="" type="checkbox"/>	<input type="checkbox"/>          <input type="checkbox"/>	<input type="checkbox"/>          <input type="checkbox"/>	<p>The subject development application will establish the high density character for the site and immediate locality.</p> <p>As per the objectives sections the private and public domains are delineated via, stairs, landscaping and level changes. The residential entries are further separated by the entry doors being located behind the commercial facades.</p> <p>The communal open space at the rear of the property is enhanced via the provision of stepping pavers, new landscaping and bench seats.</p> <p>The proposed public domain is enhanced via the provision of landscaping and multiple stair entries with no rigid defined edges. The development performs well in this regard.</p> <p>Materials are considered to be sufficiently durable to be easily cleaned</p>
<b>Landscape Design</b>				

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**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
<p><b>Objectives</b></p> <ul style="list-style-type: none"> <li>• To add value to residents' quality of life within the development in the forms of privacy, outlook and views. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>• To provide habitat for native indigenous plants and animals. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>• To improve stormwater quality and reduce quantity. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>• To improve the microclimate and solar performance within the development. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>• To improve urban air quality. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>• To contribute to biodiversity. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> </ul>				<p>The outdoor space provided at the rear (northern) side of the building provides:</p> <ul style="list-style-type: none"> <li>• quality outdoor space for the residents,</li> <li>• significant large tree plantings,</li> <li>• Stormwater runoff absorption</li> <li>• Tangible improvement to the immediate microclimate and air quality of the site</li> <li>• Provides an opportunity to contribute to biodiversity.</li> </ul>
<p><b>Design Practice</b></p> <ul style="list-style-type: none"> <li>• Improve the amenity of open space with landscape design which: provides appropriate shade from trees or structures; provides accessible routes through the space and between buildings; screens cars, communal drying areas, swimming pools and the courtyards of ground floor units; allows for locating art works where they can be viewed by users of open space and/or from within apartments. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>• Contribute to streetscape character and the amenity of the public domain by: relating landscape design to the desired proportions and character of the streetscape; using planting and landscape elements appropriate to the scale of the development; mediating between and visually softening the bulk of large development for the person on the street. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>• Improve the energy efficiency and solar efficiency of dwellings and the microclimate of private open spaces. (Refer planting design solutions at p46-47 of Design Code) <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>• Design landscape which contributes to the site's particular and positive characteristics. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>• Contribute to water and stormwater efficiency by integrating landscape design with water and stormwater management. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>• Provide a sufficient depth of soil above paving slabs to enable growth of mature trees. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>• Minimise maintenance by using robust landscape elements. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> </ul>				<p>The primary landscaping space is located on the northern side of the proposed building. The space allows for the planting of large trees to realise biodiversity, shading and microclimate objectives. The trees also make a contribution to the improvement in the privacy situation to the surrounding buildings.</p> <p>Landscaping provided along the public domain and is considered to be of an appropriate scale.</p> <p>See above.</p> <p>The proposed front and rear landscaping is considered to make a significant positive contribution to the site. The landscaping is designed to promote the natural permeability of the site.</p> <p>Street landscaping planters have sufficient depth to support the proposed level of growth.</p> <p>Landscaping elements are considered to be sufficiently robust.</p>
<i>Open Space</i>				

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**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
<p>Objectives</p> <ul style="list-style-type: none"> <li>• To provide residents with passive and active recreational opportunities.</li> <li>• To provide an area on site that enables soft landscaping and deep soil planting.</li> <li>• To ensure that communal open space is consolidated, configured and designed to be useable and attractive.</li> <li>• To provide a pleasant outlook.</li> </ul>	<input checked="" type="checkbox"/>    <input checked="" type="checkbox"/>    <input checked="" type="checkbox"/>    <input checked="" type="checkbox"/>    	<input type="checkbox"/>    <input type="checkbox"/>    <input type="checkbox"/>    <input type="checkbox"/>    	<input type="checkbox"/>    <input type="checkbox"/>    <input type="checkbox"/>    <input type="checkbox"/>    	<p>The communal open space area located on the northern side of the site is of sufficient size and afford the residents the opportunity for recreations, provides deep soils planting and landscaping, is consolidated and can contribute to a pleasant outlook to and from the site.</p> <p>In addition to the communal space all, units within the development are provided with a practical sized private balcony.</p> <p>The development is acceptable in this regard.</p>

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**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
Design Practice				
<ul style="list-style-type: none"> <li>• Provide communal open space with is appropriate and relevant to the building's setting (refer to guidelines on p48 of Design Code)</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As per the objectives the development proposes a functional communal outdoor area.
<ul style="list-style-type: none"> <li>• Where communal open space is provided, facilitate its use for the desired range of activities by locating it in relation to buildings to optimise solar access to apartments; consolidating open space on the site into recognisable areas with reasonable space, facilities and landscape; designing its size and dimensions to allow for the program of uses it will contain; minimising overshadowing; carefully locating ventilation duct outlets from basement car parks.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The outdoor spaces location is such that will not adversely contribute to overshadowing (large trees being the only item contributing to shadowing).
<ul style="list-style-type: none"> <li>• Provide open space for each apartment capable of enhancing residential amenity in the form of balcony, deck, terrace, garden, yard, courtyard and/or roof terrace.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Every unit within the development is serviced by a functional balcony capable of supporting a table and chairs.
<ul style="list-style-type: none"> <li>• Locate open space to increase the potential for residential amenity by designing apartment buildings which: are sited to allow for landscape design; are sited to optimise daylight access in winter and shade in summer; have a pleasant outlook; have increased visual privacy between apartments.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The communal space is located on the northern side of the site optimising its solar access. All balconies are orientated either to the north or south of the site to maximise their outlook and solar access where possible.
<ul style="list-style-type: none"> <li>• Provide environmental benefits including habitat for native fauna, native vegetation and mature trees, a pleasant microclimate, rainwater percolation and outdoor drying area.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The communal open space can support large trees and is principally deep soil area thereby contributing to water penetration. Not drying area is proposed in the communal open space area.
<ul style="list-style-type: none"> <li>• The area of communal open space required should generally be at least 25-30% of the site area. Larger sites and brownfield sites may have potential for more than 30%.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The communal open space area/deep soil area is 545.05 sqm or 31.4% of the site and is acceptable in this regard.
<ul style="list-style-type: none"> <li>• Where developments are unable to achieve the recommended communal open space, they must demonstrate that residential amenity is provided in the form of increased private open space and/or a contribution to public open space.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposal exceeds the recommended communal open space area.
<ul style="list-style-type: none"> <li>• Minimum recommended area of private open space for each apartment at ground level or similar space on structure is 25m<sup>2</sup> and the minimum preferred dimension is 4m.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no ground floor units proposed.
<i>Orientation</i>				

## Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
<b>Objectives</b> <ul style="list-style-type: none"> <li>To optimise solar access to residential apartments within the development and adjacent development.</li> <li>To contribute positively to desired streetscape character.</li> <li>To support landscape design of consolidated open space areas.</li> <li>To protect the amenity of existing development.</li> <li>To improve the amenity of existing development</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The building is appropriately located to maximise solar access to the proposed building but also maintain solar access to adjoining buildings.</p> <p>The proposed building is also appropriately aligned to the street.</p> <p>The consolidated open space is appropriately orientated to the north of the site which will assist in the appropriate level of solar access to the primary landscaped area. Despite the overall bulk and scale of the new type of development introduced to the locality the building has been appropriately sited and orientated to preserve the amenity of existing surrounding development.</p>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Design Practice</b> <ul style="list-style-type: none"> <li>Plan the site to optimise solar access by: positioning and orienting buildings to maximise north facing walls (within 30° east and 20° west of north) where possible; and providing adequate building separation within the development and to adjacent buildings.</li> <li>Select building types or layouts which respond to the streetscape while optimising solar access. Where streets are to be edged and defined by buildings: align buildings to the street on east-west streets; and use courtyards, L-shaped configurations and increased setbacks to northern side boundaries on north-south streets.</li> <li>Optimise solar access to living spaces and associated private open spaces by orienting them to the north.</li> <li>Detail building elements to modify environmental conditions as required maximising sun access in winter and sun shading in summer.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The building siting has been optimized to provide the best possible building separation to adjoining buildings, streetscape address/alignment.</p> <p>The single tower built form will result in the majority of the building enjoying good solar access depending on the unit orientation.</p> <p>The building has been specifically designed to take of advantage of the street address or excellent solar access and outlook offered at the rear (north) elevation of the building.</p> <p>To provide building articulation and appropriate summer shading pergola elements and screening are proposed.</p>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<i>Planting on Structures</i>				
<b>Objectives</b> <ul style="list-style-type: none"> <li>To contribute to the quality and amenity of communal open space on roof tops, podiums and internal courtyards.</li> <li>To encourage the establishment and healthy growth of trees in urban areas.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Suitable planting depth for planters over structures is only applicable to this development with regard to the landscape planters provided on the street elevations.</p> <p>The rear outdoor communal space is dedicated deeps soil area and can support large trees.</p>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

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**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
Design Practice				
<ul style="list-style-type: none"> <li>• Design for optimum conditions for plant growth by: providing soil depth, soil volume and soil area appropriate to the size of the plants to be established; providing appropriate soil conditions and irrigation methods, providing appropriate drainage</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal will incorporate five separate planters at the street / building interface. And a landscape planter located on the edge of the first floor unit balconies.
<ul style="list-style-type: none"> <li>• Design planters to support the appropriate soil depth and plant selection by: ensuring planter proportions accommodate the largest volume of soil possible; and providing square or rectangular planting areas rather than long narrow linear areas. Minimum soil depths will vary depending on the size of the plant however soil depths greater than 1.5m are unlikely to have any benefits for tree growth.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Only the street planters are proposed to support trees, being Magnolia Grandiflora with a maximum potential height of 12 metres and canopy spread of 8 metres.  The proposed planters are 1.3 metres in depth and capable of supporting the proposed trees and landscaping.
<ul style="list-style-type: none"> <li>• Increase minimum soil depths in accordance with: the mix of plants in a planter; the level of landscape management; anchorage requirements of large and medium trees; soil type and quality.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>• Minimum standards: <ul style="list-style-type: none"> <li>○ Large trees such as figs (canopy diameter of up to 16m at maturity): <ul style="list-style-type: none"> <li>▪ Min. soil volume 150cum</li> <li>▪ Min. soil depth 1.3m</li> <li>▪ Min. soil area 10m x 10m</li> </ul> </li> <li>○ Medium trees (canopy diameter of up to 8m at maturity): <ul style="list-style-type: none"> <li>▪ Min. soil volume 35cum</li> <li>▪ Min. soil depth 1m</li> <li>▪ Approx. soil area 6m x 6m</li> </ul> </li> <li>○ Small trees (canopy diameter of up to 4m at maturity): <ul style="list-style-type: none"> <li>▪ Min. soil volume 9cum</li> <li>▪ Min. soil depth 800mm</li> <li>▪ Approx soil area 3.5m x 3.5m</li> </ul> </li> <li>○ Shrubs: <ul style="list-style-type: none"> <li>▪ Min. soil depths 500-600mm</li> </ul> </li> <li>○ Ground cover: <ul style="list-style-type: none"> <li>▪ Min. soil depths 300-450mm</li> </ul> </li> <li>○ Turf: <ul style="list-style-type: none"> <li>▪ Min. soil depth 100-300mm</li> <li>▪ Any subsurface drainage requirements are in addition to the min. soil depths</li> </ul> </li> </ul> </li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No large trees proposed in the street facing planters.
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed planters are acceptable in this regard.
<i>Stormwater Management</i>				



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**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
<b>Objectives</b> <ul style="list-style-type: none"> <li>To minimise the impacts of residential flat development and associated infrastructure on the health and amenity of natural waterways.</li> <li>To preserve existing topographic and natural features including waterways and wetlands.</li> <li>To minimise the discharge of sediment and other pollutants to the urban stormwater drainage system during construction activity.</li> </ul>	<input checked="" type="checkbox"/>   <input type="checkbox"/>  <input checked="" type="checkbox"/>	<input type="checkbox"/>   <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>   <input checked="" type="checkbox"/>  <input type="checkbox"/>	<p>The proposal will maintain stormwater runoff quality.</p> <p>There are no significant topographic feature on or in vicinity of the site.</p> <p>If the proposal is considered for approval, suitable conditions of consent can be imposed ensure that discharge of sediment and pollutants is minimised from the site.</p>
<b>Design Practice</b> <ul style="list-style-type: none"> <li>Reduce the volume impact of stormwater on infrastructure by retaining it on site (refer design solutions on p54 of Design Code)</li> <li>Optimise deep soil zones. All development must address the potential for deep soil zones.</li> <li>On dense urban sites where there is no potential for deep soil zones to contribute to stormwater management, seek alternative solutions.</li> <li>Protect stormwater quality by providing for stormwater filters, traps or basins for hard surfaces, treatment of stormwater collected in sediment traps on soils containing dispersive clays.</li> <li>Reduce the need for expensive sediment trapping techniques by controlling erosion.</li> <li>Consider using grey water for site irrigation.</li> </ul>	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	<input type="checkbox"/>   <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>   <input type="checkbox"/>  <input checked="" type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<p>On site detention is proposed.</p> <p>Significant consolidated deep soil area of 31.4% of the site area is provided within the site.</p> <p>The stormwater design incorporates a stormwater primary filtering device before discharge of stormwater from the site.</p> <p>A water reuse tank is also incorporated into the stormwater design to be used for landscaping irrigation.</p>
<b>Safety</b>				
<b>Objectives</b> <ul style="list-style-type: none"> <li>To ensure residential flat developments are safe and secure for residents and visitors.</li> <li>To contribute to the safety of the public domain.</li> </ul>	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>	<p>The proposal provides secure separate residential entries.</p> <p>Safety of the public domain is enhanced via the opportunity for passive surveillance from the upper unit balconies.</p>
<b>Design Practice</b> <ul style="list-style-type: none"> <li>Reinforce the development boundary to strengthen the distinction between public and private space. This can be actual or symbolic and include: employing a level change at the site and/or building threshold; signage; entry awnings; fences; walls and gates; change of material in paving between the street and the development.</li> <li>Optimise the visibility, functionality and safety of building entrances by: orienting entrances towards the public street; providing clear lines of sight between entrance foyers and the street; providing direct entry to ground level apartments from the street rather than through a</li> </ul>	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>	<p>The separation between the private and public domains is established by stairs, level changes, landscaping and paving material.</p> <p>Safety for residents is further enhanced via the provision of multiple lift shafts and two secured ground level residential entrances. The entrances are visible from the street however recessed behind the commercial tenancies facades.</p>

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
<p>common foyer; direct and well lit access between car parks and dwellings, between car parks and lift lobbies and to all unit entrances.</p> <ul style="list-style-type: none"> <li>• Improve the opportunities for casual surveillance by: orienting living areas with views over public or communal open spaces where possible; using bay windows and balconies which protrude beyond the main façade and enable a wider angle of vision to the street; using corner windows which provide oblique views of the street; providing casual views of common internal areas, such as lobbies and foyers, hallways, recreation areas and car parks.</li> <li>• Minimise opportunities for concealment by: avoiding blind or dark alcoves near lifts and stairwells, at the entrance and within indoor car parking, along corridors and walkways; providing well lit routes throughout the development; providing appropriate levels of illumination for all common areas; providing graded illumination to car parks and illuminating entrances higher than the minimum acceptable standard.</li> <li>• Control access to the development by: making apartments inaccessible from the balconies, roofs and windows of neighbouring buildings; separating the residential component of a development’s car parking from any other building use and controlling car park access from public and common areas; providing direct access from car parks to apartment lobbies for residents; providing separate access for residents in mixed-use buildings; providing an audio or video intercom system at the entry or in the lobby for visitors to communicate with residents, providing key card access for residents.</li> <li>• Carry out a formal crime risk assessment for all residential developments of more than 20 new dwellings.</li> </ul>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>The opportunity for casual surveillance of the public domain is available from the southern orientated unit balconies of the development. Casual surveillance of the communal outdoor open space area at the northern side of the development is also available from the balconies of the northern orientated units.</p> <p>Due to the provision of multiple lift cores, all active corridors of the development are generally short. The proposal also incorporates a crime safety report which outlines general security measures proposed and general illumination of common areas.</p> <p>Balconies should be inaccessible from the ground floor.</p> <p>The residential lobbies of the development are separate from the commercial tenancies. The proposal will incorporate an intercom system and key card access.</p> <p>A crime risk assessment ref: PAF110301CRA dated 9 March 2011 was undertaken by Strategic Risk Solutions</p>
<i>Visual Privacy</i>				
<p>Objectives</p> <ul style="list-style-type: none"> <li>• To provide reasonable levels of visual privacy externally and internally during the day and night.</li> <li>• To maximise outlook and views from principal rooms and private open space without compromising visual privacy.</li> </ul>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>The general privacy afforded to the residents of the building is considered acceptable.</p> <p>Outlook is considered to be maximised without compromising visual privacy to the residents.</p>

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**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
<i>Design Practice</i>				
<ul style="list-style-type: none"> <li>Locate and orient new development to maximise visual privacy between buildings on site and adjacent buildings by providing adequate building separation, employing appropriate rear and side setbacks, utilise the site layout to increase building separation.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal is considered to have optimized building separation to all existing surrounding development.
<ul style="list-style-type: none"> <li>Design building layouts to minimise direct overlooking of rooms and private open spaces adjacent to apartments by: balconies to screen other balconies and any ground level private open space; separating communal open space, common areas and access routes through the development from the windows of rooms, particularly habitable rooms; changing the level between ground floor apartments with their associated private open space, and the public domain or communal open space.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Being the first development of its kind in the immediate locality there is no privacy issues which will arise to adjoining existing development. The development has been designed to consider future potential development adjoining the site by orientating the units to face either the street or rear of the site. Down the side of the development consists principally of service rooms (bathrooms and toilets) and secondary non habitable room of bedrooms.
<ul style="list-style-type: none"> <li>Use detailed site and building design elements to increase privacy without compromising access to light and air (refer p58-59 of Design Code for detailing)</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development is accordingly considered to be acceptable in this regard.
<i>Building Entry</i>				
<i>Objectives</i>				
<ul style="list-style-type: none"> <li>To create entrances which provide a desirable residential identity for the development.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed development is considered to be consistent with the Building Entry Objectives as multiple communal entries which are easily identifiable are proposed.
<ul style="list-style-type: none"> <li>To orient the visitor.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>To contribute positively to the streetscape and building facade design.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

ATTACHMENT 1

Requirement	Yes	No	N/A	Comment
<p><b>Design Practice</b></p> <ul style="list-style-type: none"> <li>• Improve the presentation of the development to the street by: locating entries so that they relate to the existing street and subdivision pattern, street tree planting and pedestrian access network; designing the entry as a clearly identifiable element of the building in the street; utilising multiple entries where it is desirable to activate the street edge or reinforce a rhythm of entries along a street. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>• Provide as direct a physical and visual connection as possible between the street and the entry. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>• Achieve clear lines of transition between the public street, the shared private circulation spaces and the apartment unit. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>• Ensure equal access for all. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>• Provide safe and secure access (refer design solutions on p60 of the Design Code) <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>• Provide separate entries from the street for pedestrians and cars; different uses and ground floor apartments. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>• Design entries and associated circulation space of an adequate size to allow movement of furniture between public and private spaces. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>• Provide and design mailboxes to be convenient for residents and not to clutter the appearance of the development from the street (refer design solutions on p61 of the Design Code). <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> </ul>				<p>Multiple communal entries are to be provided, which integrate with the public domain through the provision of forecourt areas with stairs, feature paving and landscaping.</p> <p>Entry foyers are spacious, feature glazing for clear sight lines and will be secured with resident-access locked doors. Equitable access is proposed via the provision of a wheelchair access ramp and lift cores.</p> <p>Pedestrian and vehicular entrances are separated.</p> <p>The ground floor will be dedicated to commercial uses however the residential lobbies are separated from the commercial tenancies.</p> <p>Due to the proposed commercial tenancies, furniture will be able to be moved from the rear ground floor loading bay.</p> <p>Mailboxes can be put outside of the street section elevation of the ground floor residential lift lobbies.</p>
<b>Parking</b>				
<p><b>Objectives</b></p> <ul style="list-style-type: none"> <li>• To minimise car dependency for commuting and recreational transport use and to promote alternative means of transport – public transport, bicycling and walking. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>• To provide adequate car parking for the building's users and visitors depending on building type and proximity to public transport. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> <li>• To integrate the location and design of car parking with the design of the site and the building. <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></li> </ul>				<p>Sufficient parking has been proposed to service the residential, commercial and visitor requirements of the development. The location of the site also means the site can benefit from public transport availability such as trains and buses.</p> <p>The parking is designed to be unobtrusive and integrated with the design of the building.</p> <p>The development is acceptable in this regard.</p>

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
<p>Design Practice</p> <ul style="list-style-type: none"> <li>Determine the appropriate car parking spaces in relation to the development's proximity to public transport, shopping and recreational facilities; the density of the development and the local area; the site's ability to accommodate car parking.</li> <li>Limit the number of visitor parking spaces, particularly in small developments where the impact on landscape and open space is significant.</li> <li>Give preference to underground parking wherever possible. Design considerations include: retaining and optimising the consolidated areas of deep soil zones; facilitating natural ventilation to basement and sub basement car parking areas; integrating ventilation grills or screening devices of car park openings into the façade design and landscape design; providing safe and secure access for building users, including direct access to residential apartments where possible; provide a logical and efficient structural grid.</li> <li>Where above ground enclosed parking cannot be avoided ensure the design of the development mitigates any negative impact on streetscape and street amenity by avoiding exposed parking on the street frontage; hiding car parking behind the building façade – where wall openings occur, ensure they are integrated into the overall façade scale, proportions and detail; wrapping the car parks with other uses.</li> <li>Minimise the impact of on grade parking by: locating parking on the side or rear of the lot away from the primary street frontage; screening cars from view of streets and buildings; allowing for safe and direct access to building entry points; incorporating parking into the landscape design of the site.</li> <li><b>Provide bicycle parking which is easily accessible from ground level and from apartments.</b></li> </ul>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>The appropriate level of parking has been provided to service the development. The specific parking calculations are provided elsewhere in the report. The site also does benefit by access to public transport.</p> <p>An appropriate number of visitor spaces is proposed (11) to service both the residential and commercial components of the development.</p> <p>The bulk of the parking proposed is located over two underground basement levels. The basement provided has still managed to preserve 31.4% of the site as dedicated deep soil area.</p> <p>There is no above ground enclosed parking. The at grade parking is located at the rear of the site away from the street frontage.</p> <p><b>No bicycle parking is noted as being proposed. Sufficient space is available at the ground floor for the provision of a bicycle rack. This requirement can be condition if approval of the proposal is considered.</b></p>
<i>Pedestrian Access</i>				

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**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
<b>Objectives</b> <ul style="list-style-type: none"> <li>To promote residential flat development which is well connected to the street and contributes to the accessibility of the public domain.</li> <li>To ensure that residents, including users of strollers and wheelchairs and people with bicycles, are able to reach and enter their apartments and use communal areas via minimum grade ramps, paths, access ways or lifts.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed development is considered to be consistent with the Pedestrian Access objectives as barrier free communal entries are provided to each lift core of the building. The development is acceptable in this regard.
<b>Design Practice</b> <ul style="list-style-type: none"> <li>Utilise the site and its planning to optimise accessibility to the development.</li> <li>Provide high quality accessible routes to public and semi-public areas of the building and the site, including major entries, lobbies, communal open space, site facilities, parking areas, public streets and internal roads.</li> <li>Promote equity by ensuring the main building entrance is accessible for all from the street and from car parking areas; integrating ramps into the overall building and landscape design.</li> <li>Design ground floor apartments to be accessible from the street, where applicable, and to their associated private open space.</li> <li>Maximise the number of accessible, visitable and adaptable apartments in a building.</li> <li>Separate and clearly distinguish between pedestrian accessways and vehicle accessways.</li> <li>Consider the provision of public through site pedestrian accessways in large development sites.</li> <li>Identify the access requirements from the street or car parking area to the apartment entrance.</li> <li>Follow the accessibility standard set out in AS1428 as a minimum.</li> <li>Provide barrier free access to at least 20% of dwellings in the development.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The site is considered to be appropriately barrier free with wheelchair access possible from the street, rear car park, basement and to the upper residential floors of the development.</p> <p>There are no ground floor apartments.</p> <p>The development is fully visitable.</p> <p>The development provides separate pedestrian and vehicular access points</p> <p>Through site general access is available from the street through to the rear parking area.</p>
<b>Vehicle Access</b>				
<b>Objectives</b> <ul style="list-style-type: none"> <li>To integrate adequate car parking and servicing access without compromising street character, landscape or pedestrian amenity and safety.</li> <li>To encourage the active use of street frontages.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The vehicular access point have been designed to minimise the streetscape impact and promote active street usage. Additionally, being a mixed use building, the proposed building will be able to promote street activity via the commercial tenancies.</p>

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**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
<p><b>Design Practice</b></p> <ul style="list-style-type: none"> <li>Ensure that pedestrian safety is maintained by minimising potential pedestrian/vehicle conflicts (refer design approaches on p65 of the Design Code)</li> <li>Ensure adequate separation distances between vehicular entries and street intersections.</li> <li>Optimise the opportunities for active street frontages and streetscape design by: making vehicle access points as narrow as possible; limit the number of vehicle accessways to a minimum; locating car park entry and access from secondary streets and lanes.</li> <li>Improve the appearance of car parking and service vehicle entries by: screening garbage collection, loading and servicing areas visually away from the street; setback or recess car park entries from the main façade line; avoid 'black holes' in the façade by providing security doors to car park entries; where doors are not provided, ensure that the visible interior of the car park is incorporated into the façade design and materials selection and that building services – pipes and ducts – are concealed; return the façade material into the car park entry recess for the extent visible from the street as a minimum.</li> <li><b>Generally limit the width of driveways to a maximum of 6m.</b></li> <li>Locate vehicle entries away from main pedestrian entries and on secondary frontages.</li> </ul>	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>One common vehicular access way is provided from Mary Street.</p> <p>The driveway width is not excessive and is not in near vicinity from any intersections.</p> <p>Service areas such as garbage storage (within specific rooms) and loading spaces are contained at the ground level at the rear of the site and not visible from public areas. Garbage to be collected from adjacent to the vehicular entry.</p> <p><b>The vehicular access is 6 metres at the property boundary and widens to 6.351 metres to service the at grade ramp and basement access. It is intended that this be increased as a condition of consent however, so as to achieve compliance with the applicable Australian Standard AS2890.</b></p> <p>Secondary frontage access is not available.</p>
<b>Part 03 Building Design</b>				
<i>Apartment Layout</i>				
<p><b>Objectives</b></p> <ul style="list-style-type: none"> <li>To ensure the spatial arrangement of apartments is functional and well organised.</li> <li>To ensure that apartment layouts provide high standards of residential amenity.</li> <li>To maximise the environmental performance of apartments.</li> <li>To accommodate a variety of household activities and occupants' needs.</li> </ul>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>The proposed development is considered to be consistent with the Apartment Layout objectives as layouts are suitably sized to permit a satisfactory furniture layout to occur.</p>
<p><b>Design Practice</b></p> <ul style="list-style-type: none"> <li>Determine appropriate sizes in relation to: geographic location and market demands; the spatial configuration of an apartments; affordability.</li> <li>Ensure apartment layouts are resilient over time by accommodating a variety of furniture arrangements; providing for a</li> </ul>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<p>The building offers a variety of unit types in a urban fringe location.</p> <p>Apartment layouts are generally considered satisfactory in terms of orientating living areas and private open</p>

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**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
range of activities and privacy levels between different spaces within the apartment; utilising flexible room sizes and proportions or open plans; ensuring circulation by stairs, corridors and through rooms is planned as efficiently as possible thereby increasing the amount of floor space in rooms.				spaces to optimise solar access where possible. A suitable furniture layout can be achieved for all the units.
<ul style="list-style-type: none"> <li>Design apartment layouts which respond to the natural and built environments and optimise site opportunities by: providing private open space in the form of a balcony, terrace, courtyard or garden for every apartment; orienting main living areas toward the primary outlook and aspect and away from neighbouring noise sources or windows.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Every unit has a private balcony which is orientated towards either the street or rear of the site.
<ul style="list-style-type: none"> <li>Locating main living spaces adjacent to main private open space; locating habitable rooms, and where possible kitchens and bathrooms, on the external face of buildings; maximising opportunities to facilitate natural ventilation and to capitalise on natural daylight by providing corner apartments, cross-over/cross-through apartments; split-level/maisonette apartments, shallow/single aspect apartments.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All balconies within the development can be accessed from a primary habitable living room
<ul style="list-style-type: none"> <li>Avoid locating kitchen as part of the main circulation spaces of an apartment, such as a hallway or entry space.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The kitchens do not form part of the major circulation space of any apartment.
<ul style="list-style-type: none"> <li>Include adequate storage space in apartment</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All the units have storage space within their confines in addition to kitchen cupboards and wardrobes.
<ul style="list-style-type: none"> <li>Ensure apartment layouts and dimensions facilitate furniture removal and placement.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>Apartment dimensions on p67-68 of the Design Code achieved.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>Apartment areas on p69 of the Design Code achieved.</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>Single aspect apartments should be limited in depth to 8m from a window.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>The back of a kitchen should be no more than 8m from a window.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>The width of cross-over/cross-through apartments over 15m deep should be 4m or greater.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> <li>Buildings not meeting the minimum standards must demonstrate how satisfactory day lighting and natural ventilation can be achieved, particularly for habitable rooms.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Smallest 1 bedroom unit size (corner non single aspect) = 60 sqm. Smallest 2 bedroom unit size (no cross over units proposed) = 81 sqm. Smallest 3 bedroom unit size = 116 sqm.
<ul style="list-style-type: none"> <li>Minimum apartment sizes: 1 bed = 50m<sup>2</sup>, 2 bed = 70m<sup>2</sup>, 3 bed = 95m<sup>2</sup></li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<i>Apartment Mix</i>				



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**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment	
<p>Objectives</p> <ul style="list-style-type: none"> <li>To provide a diversity of apartment types, which cater for different household requirements now and in the future.</li> <li>To maintain equitable access to new housing by cultural and socio-economic groups.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposed development is considered to be consistent with the Apartment Mix objectives as an acceptable mixture of 1, 2 and 3 bedroom apartments are proposed which will cater for a range of household requirements.</p>	
<p>Design Practice</p> <ul style="list-style-type: none"> <li>Provide a variety of apartment types particularly in large apartment buildings. Variety may not be possible in smaller buildings (up to 6 units)</li> <li>Refine the appropriate mix for a location by: considering population trends in the future as well as present market demands; noting the apartment's location in relation to public transport, public facilities, employment areas, schools, universities and retail centres.</li> <li>Locate a mix of 1 and 3 bed apartments on the ground level where accessibility is more easily achieved.</li> <li><b>Optimise the number of accessible and adaptable units to cater for a wider range of occupants.</b></li> <li>Investigate the possibility of flexible apartment configurations which support change in the future.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p>The development has the following bedroom mix:-</p> <p>1 bedroom – 6 units (11.3%) 2 bedroom – 41 units (77.4%) 3 bedroom – 6 units (11.3%)</p> <p>There are no units on the ground floor.</p> <p><b>The development is 100% visitable. The development proposes 53 units however no units within the development have been specifically designated as being adaptable. As stated previously, the building is fully visitable and can be easily made to be adaptable to meet disabled access requirements.</b></p> <p>If approval of the application is considered, a condition of consent will be to nominate 6 units within the proposal which are fully adaptable in accordance with the relevant Australian Standards. This will also include a requirement to have an associated disabled accessible car parking space in the basement. The development is accordingly acceptable in this regard.</p>
<i>Balconies</i>					
<p>Objectives</p> <ul style="list-style-type: none"> <li>To provide all apartments with private open space.</li> <li>To ensure balconies are functional and responsive to the environment thereby promoting the enjoyment of outdoor living for apartment residents</li> <li>To ensure that balconies are integrated into the overall architectural form and detail of residential flat buildings.</li> <li>To contribute to the safety and liveliness of the street by allowing for casual overlooking and address.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposed development is considered to be consistent with the Balconies objectives as all apartments are provided with suitably sized private open spaces which integrate with the overall architectural form of the building and provide casual overlooking of communal and public areas.</p>	
<p>Design Practice</p> <ul style="list-style-type: none"> <li>Where other private open space is not provided, provide at least one primary balcony.</li> <li>Primary balconies should be: located adjacent to the main living areas, such as</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p>All apartments have at least one balcony. Access is provided directly from living areas and where possible, secondary access is provided from primary bedrooms.</p>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

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Requirement	Yes	No	N/A	Comment
living room, dining room or kitchen to extend the dwelling living space; sufficiently large and well proportioned to be functional and promote indoor/outdoor living – a dining table and 2 chairs (small apartment) and 4 chairs (larger apartment) should fit on the majority of balconies in the development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>Consider secondary balconies, including Juliet balconies or operable walls with balustrades, for additional amenity and choice: in larger apartments; adjacent to bedrooms; for clothes drying, site balconies off laundries or bathrooms and they should be screened from the public domain.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A limited number of units on the upper sixth – eighth floor have a secondary balcony
<ul style="list-style-type: none"> <li>Design and detail balconies in response to the local climate and context thereby increasing the usefulness of balconies by: locating balconies which predominantly face north, east or west to provide solar access; utilising sun screens, pergolas, shutters and operable walls to control sunlight and wind; providing balconies with operable screens, Juliet balconies or operable walls in special locations where noise or high winds prohibit other solutions; choose cantilevered balconies, partly cantilevered balconies and/or recessed balconies in response to daylight, wind, acoustic privacy and visual privacy; ensuring balconies are not so deep that they prevent sunlight entering the apartment below.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The balconies have been orientated to either address Mary Street and promote an active frontage or face the north (rear) of the site where there will be the best outlook from the site and minimal privacy impact (acoustic privacy and overlooking into adjoining sites). The development is considered to be acceptable in this regard.
<ul style="list-style-type: none"> <li>Design balustrades to allow views and casual surveillance of the street while providing for safety and visual privacy (refer design considerations on p72 of the Design Code)</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Balustrades on the upper floors are see through to promote views however primary living rooms are setback from the balcony edge to maximise privacy.
<ul style="list-style-type: none"> <li>Coordinate and integrate building services, such as drainage pipes, with overall façade and balcony design.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Stormwater pipes are located towards the rear of the site. Facade appearance is considered to be of a high quality contemporary appearance.
<ul style="list-style-type: none"> <li>Consider supplying a tap and gas point on primary balconies.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>Provide primary balconies for all apartments with a min. depth of 2m (2 chairs) and 2.4m (4 chairs).</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The requirement can be conditioned if approval of the proposal is considered.
<ul style="list-style-type: none"> <li>Developments which seek to vary from the min. standards must demonstrate that negative impacts from the context – noise, wind, cannot be satisfactorily ameliorated with design solutions.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	All balconies in the proposal have a minimum depth dimension of 2.0 metres.
<ul style="list-style-type: none"> <li>Require scale plans of balcony with furniture layout to confirm adequate, useable space when an alternate balcony depth is proposed.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No variations are sought in this instance.
				Alternative depth no proposed, balconies are of sufficient depth to be high amenity and functional.
<i>Ceiling Heights</i>				

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
Objectives <ul style="list-style-type: none"> <li>• To increase the sense of space in apartments and provide well proportioned rooms.</li> <li>• To promote the penetration of daylight into the depths of the apartment.</li> <li>• To contribute to flexibility of use.</li> <li>• To achieve quality interior spaces while considering the external building form requirements.</li> </ul>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	The proposed development is considered to be consistent with the Ceiling Heights objectives as suitable ceiling heights are provided for the residential nature of apartments.

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
Design Practice				
<ul style="list-style-type: none"> <li>Design better quality spaces in apartments by using ceilings to: define a spatial hierarchy between areas of an apartment using double height spaces, raked ceilings, changes in ceiling heights and/or the location of bulkheads; enable better proportioned rooms; maximise heights in habitable rooms by stacking wet areas from floor to floor; promote the use of ceiling fans for cooling/heating distribution.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The units in the complex above the ground floor have floor to ceiling heights of 2.9 metres. After deducting the slab width the effective height of the floor to ceiling height would be approximately 2.7 metres</p> <p>Ground floor is proposed to be 3.5 metres which can allow for an effective floor to ceiling height in the commercial tenancies of 3.3 metres</p>
<ul style="list-style-type: none"> <li>Facilitate better access to natural light by using ceiling heights which enable the effectiveness of light shelves in enhancing daylight distribution into deep interiors; promote the use of taller windows, highlight windows and fan lights. This is particularly important for apartments with limited light access such as ground floor apartments and apartments with deep floor plans.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This is considered acceptable for solar access and general residential amenity.
<ul style="list-style-type: none"> <li>Design ceiling heights which promote building flexibility over time for a range of other uses, including retail or commercial, where appropriate.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Being a mixed use building ceiling heights to promote future flexibility of use is not necessary in this instance.
<ul style="list-style-type: none"> <li>Coordinate internal ceiling heights and slab levels with external height requirements and key datum lines (refer p73 of Design Code).</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Slab thickness has been factored into the calculation in the first point.
<ul style="list-style-type: none"> <li>Count double height spaces with mezzanines as two storeys.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No mezzanine style units proposed.
<ul style="list-style-type: none"> <li>Cross check ceiling heights with building height controls to ensure compatibility of dimensions, especially where multiple uses are proposed.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Being a single tower form, the floor heights are consistent.
<ul style="list-style-type: none"> <li>Min. dimensions from finished floor level to finished ceiling level: <ul style="list-style-type: none"> <li>Mixed use buildings: 3.3m min. for ground floor retail/commercial and for first floor residential, retail or commercial.</li> </ul> </li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposal will comply with these recommendations as appropriate.
<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>For RFBs in mixed use areas: 3.3m min for ground floor;</li> </ul> </li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>For RFBs or other residential floors in mixed use buildings: 2.7m min. for all habitable rooms on all floors, 2.4m preferred min for non habitable rooms but no less than 2.25m;</li> </ul> </li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>2 storey units: 2.4m for second storey if 50% or more of the apartments has 2.7m min. ceiling heights;</li> </ul> </li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>2 storey units with a 2 storey void space: 2.4m min;</li> </ul> </li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>attic spaces: 1.5m min wall height at edge of room with a 30<sup>o</sup> min. ceiling slope.</li> </ul> </li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> <li>Developments which seek to vary the recommended ceiling heights must demonstrate that apartments will receive satisfactory daylight.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<i>Flexibility</i>				

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

<b>Requirement</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Comment</b>
<p>Objectives</p> <ul style="list-style-type: none"> <li>To encourage housing designs which meet the broadest range of the occupants’ needs as possible.</li> <li>To promote ‘long life loose fit’ buildings, which can accommodate whole or partial changes of use.</li> <li>To encourage adaptive reuse.</li> <li>To save the embodied energy expended in building demolition.</li> </ul>	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<p>The proposed development is considered to be consistent with the Flexibility objectives as layouts promote changes to furniture arrangement and a suitable number can be adapted to the changing needs of residents.</p>
<p>Design Practice:</p> <ul style="list-style-type: none"> <li>Provide robust building configurations, which utilise multiple entries and circulation cores, especially in larger buildings over 15m long by: thin building cross sections, which are suitable for residential or commercial uses; a mix of apartment types; higher ceilings in particular on the ground floor and first floor; separate entries for the ground floor level and the upper levels; sliding and/or moveable wall systems.</li> <li>Provide apartment layouts which accommodate the changing use of rooms (refer design solutions on p75 of the Design Code).</li> <li>Utilise structural systems which support a degree of future change in building use or configuration (refer design solutions on p75 of the Design Code).</li> <li>Promote accessibility and adaptability by ensuring: the number of accessible and visitable apartments is optimised; and adequate pedestrian mobility and access is provided.</li> </ul>	<input checked="" type="checkbox"/>    <input checked="" type="checkbox"/>   <input checked="" type="checkbox"/>   <input checked="" type="checkbox"/>	<input type="checkbox"/>    <input type="checkbox"/>   <input type="checkbox"/>   <input type="checkbox"/>	<input type="checkbox"/>    <input type="checkbox"/>   <input type="checkbox"/>   <input type="checkbox"/>	<p>Apartment layout provides for basic changes to internal configuration.</p> <p>Visitable apartments are promoted.</p>
<i>Ground Floor Apartments</i>				
<p>Objectives</p> <ul style="list-style-type: none"> <li>To contribute to the desired streetscape of an area and to create active safe streets.</li> <li>To increase the housing and lifestyle choices available in apartment buildings.</li> </ul>	<input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	<p>Being a mixed use building, there are no ground floor apartments proposed. This section is not applicable.</p>

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
<b>Design Practice</b>				
<ul style="list-style-type: none"> <li>Design front gardens or terraces which contribute to the spatial and visual structure of the street while maintaining adequate privacy for apartment occupants. Refer to p77 of the Design Code for design options.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are not ground floor apartments proposed and accordingly this section is not applicable.
<ul style="list-style-type: none"> <li>Ensure adequate privacy and safety of ground floor units located in urban areas with no street setbacks by: stepping up the ground floor level from the level of the footpath a maximum of 1.2m; designing balustrades and establishing window sill heights to minimise site lines into apartments, particularly in areas with no street setbacks; determining appropriateness of individual entries; ensuring safety bars or screens are integrated into the overall elevation design and detailing.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> <li>Promoting house choice by: providing private gardens, which are directly accessible from the main living spaces of the apartment and support a variety of activities; maximising the number of accessible and visitable apartments on the ground floor; supporting a change or partial change in use, such as a home office accessible from the street or a corner shop.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> <li>Increase opportunities for solar access in ground floor units, particularly in denser areas by: providing higher ceilings and taller windows; choosing trees and shrubs which provide solar access in winter and shade in summer.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> <li>Optimise the number of ground floor apartments with separate entries and consider requiring an appropriate percentage of accessible units.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> <li>Provide ground floor apartments with access to private open space, preferably as a terrace or garden.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>Internal Circulation</b>				
<b>Objectives</b>				
<ul style="list-style-type: none"> <li>To create safe and pleasant spaces for the circulation of people and their personal possessions.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed development is considered to be consistent with the Internal Circulation objectives have been met as short spacious access hallways and apartments are provided around two separate lift cores.
<ul style="list-style-type: none"> <li>To facilitate quality apartment layouts, such as dual aspect apartments.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>To contribute positively to the form and articulation of the building façade and its relationship to the urban environment.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>To encourage interaction and recognition between residents to contribute to a sense of community and improve perceptions of safety.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
Design Practice				
<ul style="list-style-type: none"> <li>• Increase amenity and safety in circulation spaces by: providing generous corridor widths and ceiling heights particularly in lobbies, outside lifts and apartment entry doors; providing appropriate levels of lighting, including the use of natural daylight where possible; minimising corridor lengths to give short, clear sight lines; avoiding tight corners; providing legible signage noting apartment numbers, common areas and general directional finding; providing adequate ventilation.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Corridor, foyer and hallway widths are sufficiently lit, articulated and dimensioned to promote safety and movement of residents and their belongings.
<ul style="list-style-type: none"> <li>• Support better apartment building layouts by designing buildings with multiple cores which: increase the number of entries along a street; increase the number of vertical circulation points; give more articulation to the façade; limiting the number of units off a circulation core on a single level.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Two lift access cores are provided to service the complex which is considered to be a high number given the single tower form proposed. In this regard the proposal is considered to deliver high amenity to the residents and users of the building.
<ul style="list-style-type: none"> <li>• Articulate longer corridors by: utilising a series of foyer areas and/or providing windows along or at the end of a corridor.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<ul style="list-style-type: none"> <li>• Minimise maintenance and maintain durability by using robust materials in common circulation areas.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>• Where units are arranged off a double loaded corridor, the number of units accessible from a single core/corridor should be limited to 8 – exceptions for: adaptive reuse buildings; where developments can demonstrate the achievement of the desired streetscape character and entry response; where developments can demonstrate a high level of amenity for common lobbies, corridors and units.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<i>Mixed Use</i>				

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
<b>Objectives</b>				
<ul style="list-style-type: none"> <li>To support a mix of uses that complement and reinforce the character, economics and function of the local area.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed mixed use building is in accordance with the desired future character of the area.
<ul style="list-style-type: none"> <li>Choose a compatible mix of uses.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>Consider building depth and form in relation to each use's requirements for servicing and amenity (refer details on p80 of the Design Code).</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No specific uses of the commercial tenancies are proposed at this time, however the size of the tenancies are not conducive for large scale retail uses.
<ul style="list-style-type: none"> <li>Design legible circulation systems, which ensure the safety of users by: isolating commercial service requirements such as loading docks from residential access, servicing needs and primary outlook; locating clearly demarcated residential entries directly from the public street; clearly distinguishing commercial and residential entries and vertical access points; providing security entries to all entrances into private areas, including car parks and internal courtyards; providing safe pedestrian routes through the site, where required.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The commercial tenancies are completely separated from the residential lobbies and tenancies.
<ul style="list-style-type: none"> <li>Ensure the building positively contributes to the public domain and streetscape by: fronting onto major streets with active uses; avoiding the use of blank walls at the ground level.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The public domain interface is considered to positively contribute to the streetscape by providing high quality materials, landscaping, level changes and stairs.
<ul style="list-style-type: none"> <li>Address acoustic requirements for each use by: separate residential uses, where possible, from ground floor retail or leisure uses by utilising an intermediate quiet-use barrier, such as offices; design for acoustic privacy from the beginning of the project to ensure that future services, such as air conditioning, do not cause acoustic problems later.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>Recognising the ownership/lease patterns and separating requirements for purposes of BCA.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal will be conditioned to comply with the requirements of the Building Code of Australia.
<b>Storage</b>				
<b>Objectives</b>				
<ul style="list-style-type: none"> <li>To provide adequate storage for everyday household items within easy access of the apartment.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Storage is provided within each unit in the form of built in wardrobes, kitchen cupboards and dedicated separate storage cupboards.
<ul style="list-style-type: none"> <li>To provide storage for sporting, leisure, fitness and hobby equipment.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



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**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
<b>Design Practice</b>				
<ul style="list-style-type: none"> <li>• Locate storage conveniently for apartments including: at least 50% of the required storage within each apartment and accessible from either the hall or living area – best provided as cupboards accessible from entires and hallways and/or under internal stairs; dedicated storage rooms on each floor within the development, which can be leased by residents as required; providing dedicated and/or leasible storage in internal or basement car parks.</li> <li>• Provide storage which is suitable for the needs of residents in the local area and able to accommodate larger items such as sporting equipment and bicycles.</li> <li>• Ensure that storage separated from apartments is secure for individual use.</li> <li>• Where basement storage is provided: ensure that it does not compromise natural ventilation in car parks or create potential conflicts with fire regulations; exclude it from FSR calculations.</li> <li>• Consider providing additional storage in smaller apartments in the form of built-n cupboards to promote a more efficient use of small spaces.</li> <li>• In addition to kitchen cupboards and wardrobes, provide accessible storage facilities at the following rates:                         <ul style="list-style-type: none"> <li>o Studio = 6m<sup>3</sup></li> <li>o 1 bed = 6m<sup>3</sup></li> <li>o 2 bed = 8m<sup>3</sup></li> <li>o 3+ bed = 10m<sup>3</sup></li> </ul> </li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Storage is located within each unit. The submitted plans do not indicate separate basement storage is proposed.</p> <p>The plans show that all units will have considerable internal storage space in the form of built in wardrobes and kitchen/ laundry cupboards. Further separate dedicated storage cupboards are also shown in approximately 40% of the units. The applicant has not however submitted specific calculation regarding the total amount of stage proposed for each apartment.</p> <p>Notwithstanding this, the application can still be supported on the basis of the general amenity the unit provide.</p>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<i>Acoustic Amenity</i>			
<b>Objectives</b>				
<ul style="list-style-type: none"> <li>• To ensure a high level of amenity by protecting the privacy of residents within residential flat buildings both within the apartments and in private open spaces.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposed development is considered to be consistent with the Acoustic Amenity objectives as acoustic intrusion is minimised through building separation to adjoining existing buildings, unit orientation and the grouping of like-use rooms in units together.</p>

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
<b>Design Practice</b> <ul style="list-style-type: none"> <li>• Utilise the site and building layout to maximise the potential for acoustic privacy by providing adequate building separation within the development and from neighbouring buildings.</li> <li>• Arrange apartments within a development to minimise noise transition between flats by: locating busy, noisy areas next to each other and quieter areas next to other quieter areas (kitchen near kitchen, bedroom near bedroom); using storage or circulation zones within an apartment to buffer noise from adjacent apartments, mechanical services or corridors and lobby areas; minimising the amount of party walls with other apartments.</li> <li>• Design the internal apartment layout to separate noisier from quieter spaces by: grouping uses within an apartment – bedrooms with bedrooms and service areas like kitchen, bathroom, laundry together.</li> <li>• Resolve conflicts between noise, outlook and views by using design measures including: double glazing, operable screened balconies; continuous walls to ground level courtyards where they do not conflict with streetscape or other amenity requirements.</li> <li>• Reduce noise transmission from common corridors or outside the building by providing seals at entry doors.</li> </ul>	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input type="checkbox"/>  <input checked="" type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input checked="" type="checkbox"/>  <input type="checkbox"/>	<p>Unit acoustic amenity is considered to be promoted via the general building separation provided to adjoining buildings, unit orientation (north and south) and use of privacy screening measures.</p> <p>Along the east and west sides of the building acoustic amenity has been preserved via the grouping or non habitable active room such as bedrooms and bathrooms and the utilisation of recessing in the building wall.</p> <p>Being the first building proposed, a separate acoustic report is not considered to be necessary as acoustic transmissions from the buildings will not intersect with any other buildings.</p> <p>If approval of the proposal is considered, the requirement can be conditioned.</p>
<i>Daylight Access</i>				
<b>Objectives</b> <ul style="list-style-type: none"> <li>• To ensure that daylight access is provided to all habitable rooms and encouraged in all other areas of residential flat development.</li> <li>• To provide adequate ambient lighting and minimise the need for artificial lighting during daylight hours.</li> <li>• To provide residents with the ability to adjust the quantity of daylight to suit their needs.</li> </ul>	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<p>The proposed development is considered to be generally consistent with the Daylight Access objectives as the orientation of living areas and proposed single tower form allows for daylight infiltration.</p>
<b>Design Practice</b> <ul style="list-style-type: none"> <li>• Plan the site so that new residential flat development is oriented to optimise northern aspect.</li> <li>• Ensure direct daylight access to communal open space between March and September and provide appropriate shading in summer.</li> <li>• Optimise the number of apartments receiving daylight access to habitable rooms and principal windows: ensure daylight access to habitable rooms and private open space, particularly in winter; use skylights, clerestory windows and fanlights to supplement daylight access; promote two storey and mezzanine,</li> </ul>	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<p>The site as existing has unrestricted northerly aspect. The communal open space of the site being located on the northern side of the building will also receive good solar amenity.</p> <p>Due to the single tower form of the building the majority of the units in the building will either receive adequate morning, daytime or afternoon solar access from either the north, east or west, however also as a result of the proposed built form there will be a</p>

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
<p>ground floor apartments or locations where daylight is limited to facilitate daylight access to living rooms and private open spaces; limit the depth of single aspect apartments; ensure single aspect, single storey apartments have a northerly or easterly aspect; locate living areas to the north and service areas to the south and west of development; limit the number of south facing apartments and increase their window area; use light shelves to reflect light into deeper apartments.</p>				vertical line of 8 single aspect south orientated units. Notwithstanding this, the proposal can be considered to have optimised solar access. This is because no further reasonable design amendments can be made to the proposal which would improve solar access without being detrimental to other amenity controls such as visual and acoustic privacy.
<ul style="list-style-type: none"> <li>Design for shading and glare control, particularly in summer: using shading devices such as eaves, awnings, colonnades, balconies, pergolas, external louvres and planting; optimising the number of north facing living spaces; providing external horizontal shading to north facing windows; providing vertical shading to east or west windows; using high performance glass but minimising external glare off windows (avoid reflective films, use a glass reflectance below 20%, consider reduced tint glass).</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Glare control has been accommodated for in the design via recessed living rooms and shade structures in the form of pergolas on the upper floors. A condition can be imposed upon any consent to ensure that all glass balustrade materials to minimise glass reflectance.
<ul style="list-style-type: none"> <li>Limit the use of lightwells as a source of daylight by prohibiting their use as the primary source of daylight in habitable rooms.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>Where lightwells are used: relate lightwell dimensions to building separation; conceal building services and provide appropriate detail and materials to visible walls; ensure lightwells are fully open to the sky; allow exceptions for adaptive reuse buildings, if satisfactory performance is demonstrated.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposal does not rely on light wells to overcome solar access issues. The development is acceptable in this regard.
<ul style="list-style-type: none"> <li>Living rooms and private open spaces for at least 70% of apartments in a development should receive a minimum of 3 hours direct sunlight between 9am and 3pm in midwinter. In dense urban areas (not relevant to Auburn LGA), a minimum of 2 hours may be acceptable.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li><b>Limit the number of single aspect apartments with a southerly aspect (SW-SE) to a maximum of 10% of the total units proposed.</b></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The overall development is compliant in this regard in that exactly 70% of the development will receive 3 hours of direct sun either in the morning, daytime or afternoon.
<ul style="list-style-type: none"> <li>Developments which seek to vary from the minim standards must demonstrate how site constrains and orientation prohibit the achievement of these standards and how energy efficiency is addressed.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>8 units (15%) of the units within the proposal are single aspect south orientated. This is unavoidable due to the built form of the development, however this is considered acceptable as no further design amendments can be made to the design without being detrimental to other amenity consideration such as visual and acoustic amenity. The development is acceptable in this regard.</b>

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
<i>Natural Ventilation</i>				
Objectives				
<ul style="list-style-type: none"> <li>To ensure that apartments are designed to provide all habitable rooms with direct access to fresh air and to assist in promoting thermal comfort for occupants.</li> <li>To provide natural ventilation in non habitable rooms, where possible.</li> <li>To reduce energy consumption by minimising the use of mechanical ventilation, particularly air conditioning.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed development is considered to be consistent with the Natural Ventilation objectives as all habitable rooms, and where possible non-habitable rooms, have sufficient openings for ventilation. The BASIX commitments dictate energy consumption requirements.
Design Practice				
<ul style="list-style-type: none"> <li>Plan the site to promote and guide natural breezes by: determining prevailing breezes and orient buildings to maximise use, where possible; locating vegetation to direct breezes and cool air as it flows across the site and by selecting planting or trees that do not inhibit air flow.</li> <li>Utilise the building layout and section to increase the potential for natural ventilation (refer design solutions on p86 of the Design Code)</li> <li>Design the internal apartment layout to promote natural ventilation by: minimising interruptions in air flow through an apartment; grouping rooms with similar usage together.</li> <li>Select doors and operable windows to maximise natural ventilation opportunities established by the apartment layout (refer design solution on p86-87 of Design Code)</li> <li>Coordinate design for natural ventilation with passive solar design techniques.</li> <li>Explore innovative technologies to naturally ventilate internal building areas or rooms.</li> <li>Building depths which support natural ventilation typically range from 10-18m.</li> <li>60% of residential units should be naturally cross ventilated.</li> <li>25% of kitchen within a development should have access to natural ventilation.</li> <li>Developments which seek to vary from the minimum standards must demonstrate how natural ventilation can be satisfactorily achieved particularly in relation to habitable rooms.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The building and unit layouts are designed to maximise natural ventilation through the use of open-plan living areas and generous openings to living areas and bedrooms.</p> <p>Generally the unit layouts are grouped to be bedrooms/bathrooms and living/kitchen/dining. The living rooms are adjacent to the balconies and generally promote natural ventilation.</p> <p>The building has been previously established as being optimised for passive solar design access. The building is considered to be sufficiently ventilated without resorting to special technologies to achieve this. The building depth is due to the proposed built form as a single tower building. Notwithstanding this the built form is considered acceptable. 32 of the units or 60% has access to two or more wall orientation and can be considered to be naturally ventilated.</p> <p>Kitchens are generally located with the living/dining room unit grouping and accordingly considered to be naturally ventilated. No variations are sought in this regard.</p>
<i>Awnings and Signage</i>				

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
<b>Objectives</b> <ul style="list-style-type: none"> <li>To provide shelter for public streets.</li> <li>To ensure signage is in keeping with desired streetscape character and with the development in scale, detail and overall design</li> </ul>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	The Awnings and Signage Objectives are not applicable to the proposed development as no awnings over the public domain or any signage are proposed.
<b>Design Practice</b> <b>Awnings</b> <ul style="list-style-type: none"> <li>Encourage pedestrian activity on streets by providing awnings to retail strips, where appropriate, which: give continuous cover in areas which have a desired pattern of continuous awnings; complement the height, depth and form of the desired character or existing pattern of awnings; provide sufficient protection for sun and rain.</li> <li>Contribute to the legibility of the residential flat development and amenity of the public domain by locating local awnings over building entries.</li> <li>Enhance safety for pedestrians by providing under-awning lighting.</li> </ul> <b>Signage</b> <ul style="list-style-type: none"> <li>Councils should prepare guidelines for signage based on the desired character and scale of the local area (refer considerations on p88 of Design Code)</li> <li>Integrate signage with the design of the development by responding to scale, proportions and architectural detailing.</li> <li>Provide clear and legible way finding for residents and visitors.</li> </ul>	<input checked="" type="checkbox"/>   <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>   <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>   <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<p>Notwithstanding, the non applicability of the awning controls, a within site awning is proposed for the ground floor commercial component of the building. This awning will improve the amenity for the occupiers of the commercial tenancies and provide all weather cover to the residential lobbies of the development. Accordingly the development is acceptable in this regard.</p> <p>No general signage is proposed nor are any uses of the commercial tenancies proposed at this time and accordingly this section is not applicable.</p>
<b>Facades</b>				
<b>Objectives</b> <ul style="list-style-type: none"> <li>To promote high architectural quality in residential flat buildings.</li> <li>To ensure that new developments have facades which define and enhance the public domain and desired street character.</li> <li>To ensure that building elements are integrated into the overall building form and façade design.</li> </ul>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	The proposed development is considered to be consistent with the Facade objectives as elevations of high architectural design quality which include modulation and articulation are proposed. Generally the materials and landscaping proposed will also improve the general appearance of the facade.

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
<b>Design Practice</b>				
<ul style="list-style-type: none"> <li>Consider the relationship between the whole building form and the façade and/or building elements.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A high level of modulation, articulation and architectural feature elements are incorporated to provide visually interesting and varied facades. The design of the building will establish a good precedent of high quality mixed use building design for the locality.</p> <p>Unightly elements such as services, piping and plant equipment is to be suitably located and/or screened so as not to detract from the visual quality of facades.</p>
<ul style="list-style-type: none"> <li>Compose facades with an appropriate scale, rhythm and proportion, which respond to the building's use and the desired contextual character. Refer design solutions on p89 of the Design Code.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>Design facades to reflect the orientation of the site using elements such as sun shading, light shelves and bay windows as environmental controls, depending on the façade orientation.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>Express important corners by giving visual prominence to parts of the façade.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>Coordinate and integrate building services, such as drainage pipes, with overall façade and balcony design.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>Coordinate security grills/screens, ventilation louvres and car park entry doors with the overall façade design.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Roof Design</b>				
<b>Objectives</b>				<p>The proposed development is considered to be consistent with the Roof Design objectives as a flat roof with no elements which detract from the overall building appearance is proposed.</p>
<ul style="list-style-type: none"> <li>To provide quality roof designs, which contribute to the overall design and performance of residential flat buildings.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>To integrate the design of the roof into the overall façade, building composition and desired contextual response.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>To increase the longevity of the building through weather protection.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
<b>Design Practice</b> <ul style="list-style-type: none"> <li>• Relate roof design to the desired built form Refer design solutions on p91 of the Design Code.</li> <li>• Design the roof to relate to the size and scale of the building, the building elevations and three dimensional building form. This includes the design of any parapet or terminating elements and the selection of roof materials.</li> <li>• Design roofs to respond to the orientation of the site.</li> <li>• Minimise the visual intrusiveness of service elements (lift overruns, service plants, chimneys, vent stacks, telecommunication infrastructure, gutters, downpipes, signage) by integrating them into the design of the roof.</li> <li>• Support the use of roofs for quality open space in denser urban areas by: providing space and appropriate building systems to support the desired landscape design; incorporating shade structures and wind screens to encourage open space use; ensuring open space is accessible.</li> <li>• Facilitate the use or future use of the roof for sustainable functions eg rainwater tanks, photovoltaics, water features</li> <li>• Where habitable space is provided within the roof optimise residential amenity in the form of attics or penthouse apartments.</li> </ul>	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input checked="" type="checkbox"/>	<p>The proposed building is to have a flat roof which will not have any impact upon its overall appearance. Rooftop plant is to be suitably setback to ensure it is not visible from street elevations.</p>
<i>Energy Efficiency</i>				
<b>Objectives</b> <ul style="list-style-type: none"> <li>• To reduce the necessity for mechanical heating and cooling.</li> <li>• To reduce reliance on fossil fuels.</li> <li>• To minimise greenhouse gas emissions.</li> <li>• To support and promote renewable energy initiatives.</li> </ul>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>The proposed development is considered to be consistent with the Energy Efficiency objectives as a BASIX Certificate which achieves the relevant energy targets is provided and the relevant commitments shown on plans.</p>
<b>Design Practice</b> Requirements superseded by BASIX	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The BASIX Certificate for the building show that the development as a whole achieves the Pass Mark for energy and water conservation.</p>
<i>Maintenance</i>				
<b>Objectives</b> <ul style="list-style-type: none"> <li>• To ensure long life and ease of maintenance for the development.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposed development is considered to be consistent with the Maintenance objectives as relevant conditions shall be included in any consent to ensure the site is suitably maintained.</p>

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment
<p>Design Practice</p> <ul style="list-style-type: none"> <li>• Design windows to enable cleaning from inside the building, where possible.</li> <li>• Select manually operated systems in preference to mechanical systems.</li> <li>• Incorporate and integrate building maintenance systems into the design of the building form, roof and façade.</li> <li>• Select durable materials, which are easily cleaned and are graffiti resistant.</li> <li>• Select appropriate landscape elements and vegetation and provide appropriate irrigation systems.</li> <li>• For developments with communal open space, provide a garden maintenance and storage area, which is efficient and convenient to use and is connected to water and drainage.</li> </ul>	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<p>Should the application be recommended for approval, relevant conditions in relation to use of high-quality materials and general maintenance of the site shall be included in any consent that may be issued.</p>
<i>Waste Management</i>				
<p>Objectives</p> <ul style="list-style-type: none"> <li>• To avoid the generation of waste through design, material selection and building practices.</li> <li>• To plan for the types, amount and disposal of waste to be generated during demolition, excavation and construction of the development.</li> <li>• To encourage waste minimisation, including source separation, reuse and recycling.</li> <li>• To ensure efficient storage and collection of waste and quality design of facilities.</li> </ul>	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<p>The proposed development is considered to be consistent with the Waste Management objectives as suitable arrangements and facilities for waste disposal and storage are proposed.</p>



Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Requirement	Yes	No	N/A	Comment	
<b>Design Practice</b> <ul style="list-style-type: none"> <li>• Incorporate existing built elements into new work, where possible.</li> <li>• Recycle and reuse demolished materials, where possible.</li> <li>• Specify building materials that can be reused and recycled at the end of their life.</li> <li>• Integrate waste management processes into all stages of the project, including the design stage.</li> <li>• Support waste management during the design stage by: specifying modestly for the project needs; reducing waste by utilising the standard product/component sizes of materials to be used; incorporating durability, adaptability and ease of future service upgrades.</li> <li>• Prepare a waste management plan for green and putrescible waste, garbage, glass, containers and paper.</li> <li>• Locate storage areas for rubbish bins away from the front of the development where they have a significant negative impact on the streetscape, on the visual presentation of the building entry and on the amenity of residents, building users and pedestrians.</li> <li>• Provide every dwelling with a waste cupboard or temporary storage area of sufficient size to hold a single day's waste and to enable source separation.</li> <li>• Incorporate on-site composting, where possible, in self contained composting units on balconies or as part of the shared site facilities</li> <li>• Supply waste management plans as part of the DA submission.</li> </ul>	<input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>Suitable waste management facilities are proposed throughout the building and will be managed by an appointed caretaker.</p>	
<i>Water Conservation</i>					
<b>Objectives</b>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		<p>The proposed development is considered to be consistent with the Water Conservation objectives as on-site detention and a suitable stormwater drainage plan is proposed.</p>
<ul style="list-style-type: none"> <li>• To reduce mains consumption of potable water.</li> <li>• To reduce the quantity of urban stormwater runoff.</li> </ul>					
<b>Design Practice</b>			<input checked="" type="checkbox"/>		<p>The design practice requirements are superseded by commitments listed in the accompanying BASIX Certificate.</p>
<ul style="list-style-type: none"> <li>• Requirements superseded by BASIX.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		

Regional Environmental Plans

The site is affected by Sydney Regional Environmental Plan (Sydney harbour Catchment). The development does not however fall within an area of scenic significance or environmental conservation as detailed within this plan. The proposed development is therefore considered to be consistent with the objectives and requirements of the plan.

Local Environmental Plans

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

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**ATTACHMENT 1**

**Auburn Local Environmental Plan 2010**

The relevant objectives and provisions of Auburn LEP 2010 have been considered in the following assessment table:

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Clause	Yes	No	N/A	Comment
<b>Part 1 Preliminary</b>				
<p><b>1.2 Aims of Plan</b></p> <p>(1) This Plan aims to make local environmental planning provisions for land in Auburn in accordance with the relevant standard environmental planning instrument under section 33A of the Act.</p> <p>(2) The particular aims of this Plan are as follows:</p> <p>(a) to establish planning standards that are clear, specific and flexible in their application,</p> <p>(b) to foster integrated, sustainable development that contributes to Auburn's environmental, social and physical well-being,</p> <p>(c) to protect areas from inappropriate development,</p> <p>(d) to minimise risk to the community by restricting development in sensitive areas,</p> <p>(e) to integrate principles of ecologically sustainable development into land use controls,</p> <p>(f) to protect, maintain and enhance the natural ecosystems, including watercourses, wetlands and riparian land,</p> <p>(g) to facilitate economic growth and employment opportunities within Auburn,</p> <p>(h) to identify and conserve the natural, built and cultural heritage,</p> <p>(i) to provide recreational land, community facilities and land for public purposes.</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>Flexibility in the controls is not required, the proposal substantially complies with the stipulated development standards of the ALEP 2010.</p> <p>The proposal is considered to establish an acceptable benchmark of future development in the locality.</p> <p>The development is not considered to be inappropriate for the area. The development substantially complies and will establish the future desired character for the locality in the zone.</p> <p>The proposal has incorporated ESD principles with features such as passive design and BASIX. The development is acceptable in this regard.</p> <p>Being a mixed use development the proposal will also create employment opportunities.</p> <p>The site is in broad vicinity to a known heritage item however the development will not result in any adverse impact to the item.</p> <p>The proposal supplies its own private open space and communal open space. The site also benefits by being in close proximity to the Auburn town Centre.</p>
<p><b>1.8 Repeal of other local planning instruments applying to land</b></p> <p>(1) All local environmental plans and deemed environmental planning instruments applying only to the land to which this Plan applies are repealed.</p> <p><b>Note.</b> The following local environmental plans are repealed under this provision: <i>Auburn Local Environmental Plan 2000</i></p> <p>(2) All local environmental plans and deemed environmental planning instruments applying to the land to which this Plan applies and to other and cease to apply to the land to which this Plan applies.</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	
<p><b>1.9 Application of SEPPs and REPs</b></p>				

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Clause	Yes	No	N/A	Comment
<p>(1) This Plan is subject to the provisions of any State environmental planning policy and any regional environmental plan that prevail over this Plan as provided by section 36 of the Act.</p> <p>(2) The following State environmental planning policies and regional environmental plans (or provisions) do not apply to the land to which this Plan applies:</p> <p><i>State Environmental Planning Policy No 1—Development Standards</i></p> <p><i>State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development</i> (clause 6, clause 10 and Parts 3 and 4)</p> <p><i>State Environmental Planning Policy No 60—Exempt and Complying Development</i></p> <p><i>Sydney Regional Environmental Plan No 24—Homebush Bay Area</i></p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	
<p><b>1.9A Suspension of covenants, agreements and instruments</b></p> <p>(1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a development consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.</p> <p>(2) This clause does not apply:</p> <p>(a) to a covenant imposed by the Council or that the Council requires to be imposed, or</p> <p>(b) to any prescribed instrument within the meaning of section 183A of the <i>Crown Lands Act 1989</i>, or</p> <p>(c) to any conservation agreement within the meaning of the <i>National Parks and Wildlife Act 1974</i>, or</p> <p>(d) to any Trust agreement within the meaning of the <i>Nature Conservation Trust Act 2001</i>, or</p> <p>(e) to any property vegetation plan within the meaning of the <i>Native Vegetation Act 2003</i>, or</p> <p>(f) to any biobanking agreement within the meaning of Part 7A of the <i>Threatened Species Conservation Act 1995</i>, or</p> <p>(g) to any planning agreement within the</p>	<p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>There are not covenants, agreements or instruments applying to the land which will prevent the development proceeding in accordance with the plan.</p> <p>None of these apply to the development site.</p>

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Clause	Yes	No	N/A	Comment
meaning of Division 6 of Part 4 of the Act.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) This clause does not affect the rights or interests of any public authority under any registered instrument.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) Under section 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The development is not on behalf of a public authority.

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Clause	Yes	No	N/A	Comment
<b>Part 2 Permitted or prohibited development</b>				
<p><b>2.1 Land use zones</b></p> <p>The land use zones under this Plan are as follows:</p> <p><b>Residential Zones</b></p> <p>R2 Low Density Residential R3 Medium Density Residential R4 High Density Residential</p> <p><b>Business Zones</b></p> <p>B1 Neighbourhood Centre B2 Local Centre <b>B4 Mixed Use</b> B6 Enterprise Corridor B7 Business Park</p> <p><b>Industrial Zones</b></p> <p>IN1 General Industrial IN2 Light Industrial</p> <p><b>Special Purpose Zones</b></p> <p>SP1 Special Activities SP2 Infrastructure</p> <p><b>Recreation Zones</b></p> <p>RE1 Public Recreation RE2 Private Recreation</p> <p><b>Environment Protection Zones</b></p> <p>E2 Environmental Conservation</p> <p><b>Waterway Zones</b></p> <p>W1 Natural Waterways</p>				<p>The site is zoned B4 - Mixed Use.</p>
<p><b>2.5 Additional permitted uses for particular land</b></p> <p>(1) Development on particular land that is described or referred to in Schedule 1 may be carried out:</p> <p>(a) with consent, or</p> <p>(b) if the Schedule so provides—without consent,</p> <p>in accordance with the conditions (if any) specified in that Schedule in relation to that development.</p> <p>(2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>No additional uses in accordance with this clause are being applied for under this application.</p>
<b>2.6 Subdivision—consent requirements</b>				

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Clause	Yes	No	N/A	Comment
(1) Land to which this Plan applies may be subdivided, but only with consent.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No subdivision (Torrens or Strata) approval is being sought.
(2) However, consent is not required for a subdivision for the purpose only of any one or more of the following:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) widening a public road,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) a minor realignment of boundaries that does not create:				
(i) <i>additional lots or the opportunity for additional dwellings, or</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(ii) <i>lots that are smaller than the minimum size shown on the Lot Size Map in relation to the land concerned,</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d) rectifying an encroachment on a lot,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(e) creating a public reserve,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>Note.</b> If a subdivision is exempt development, the Act enables the subdivision to be carried out without consent.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>2.6 AA Demolition requires consent</b> The demolition of a building or work may be carried out only with consent. <b>Note.</b> If the demolition of a building or work is ide	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The demolition component of the development is being considered as part of this application.
<b>Zone B4 Mixed Use</b> <b>1Objectives of zone</b> • To provide a mixture of compatible land uses. • To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling. • To encourage high density residential development. • To encourage appropriate businesses which contribute to economic growth. • To achieve an accessible, attractive and safe public domain.	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	The proposed residential and commercial/retail land uses are considered to be compatible with the objectives of the zone. The site enjoys close proximity to the auburn town centre and associated public transport links. The residential component of the development is high density in accordance with the zone. Being a mixed use development, the development will create an additional benefit in the form of job opportunities. The proposal is considered to provide

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**ATTACHMENT 1**

Clause	Yes	No	N/A	Comment
<b>2 Permitted without consent</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	an attractive public domain interface through the use of high quality materials, landscaping, level changes and wheelchair access ramp.
Nil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All proposed development requires consent from Council.
<b>3 Permitted with consent</b>				
Backpackers' accommodation; Boarding houses; <b>Business premises</b> ; Child care centres; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hostels; Hotel or motel accommodation; Information and education facilities; <b>Office premises</b> ; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; <b>Residential flat buildings</b> ; <b>Retail premises</b> ; Roads; Self-storage units; Seniors housing; Serviced apartments (but only as part of a mixed use development); Shop top housing; Warehouse or distribution centres; Any other development not specified in item 2 or 4				The ground floor commercial component can be considered to be in accordance with the zone provision by being able to support a variety of uses (subject to future approval from Council).  The upper portion of the building is a residential flat building which is defined as follows  <b>"residential flat building</b> means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing."
<b>4 Prohibited</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	All components of the proposed development are permissible with consent from Council.  No prohibited development is proposed.
Agriculture; Air transport facilities; Boat repair facilities; Boat sheds; Bulky goods premises; Canal estate developments; Caravan parks; Cemeteries; Charter and tourism boating facilities; Crematoria; Depots; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industries; Marinas; Mining; Moorings; Recreation facilities (major); Research stations; Residential accommodation; Rural industries; Rural supplies; Sewerage systems; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Waste or resource management facilities; Water recreation structures; Water supply systems; Wholesale supplies				

**Part 4 Principal development standards**

<b>4.1 Minimum subdivision lot size</b>				
(1) The objectives of this clause are as follows:				
(a) to ensure that lot sizes are able to accommodate development consistent with relevant development controls, and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site can comfortably support the development as proposed.
(b) to ensure that subdivision of land is capable of supporting a range of development types.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No subdivision is proposed nor is consolidation required to generate a better development outcome.



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Clause	Yes	No	N/A	Comment
(2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3A) Despite subclause (3), the minimum lot size for dwelling houses is 450 square metres.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The development is not for a single dwelling.
(3B) Despite subclause (3), if a lot is a battle-axe lot or other lot with an access handle and is on land in Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone B6 Enterprise Corridor, Zone B7 Business Park, Zone IN1 General Industrial and Zone IN2 Light Industrial, the minimum lot size excludes the area of the access handle.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3C) Despite subclauses (3)–(3B), the minimum lot size for development on land within the Former Lidcombe Hospital Site, as shown edged blue on the Lot Size Map, is as follows in relation to development for the purpose of:				
(a) dwelling houses:				
(i) 350 square metres, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(ii) if a garage will be accessed from the rear of the property - 290 square metres, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(iii) if the dwelling house will be on a zero lot line - 270 square metres,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) semi-detached dwellings - 270 square metres,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) multi dwelling housing - 170 square metres for each dwelling,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d) attached dwellings - 170 square metres.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>4.3 Height of buildings</b>				
(1) The objectives of this clause are as follows:				
(a) to establish a maximum building height to enable appropriate development density to be achieved, and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>The subject site has a 27m height limit under the LEP 2010. The proposal complies with the maximum allowable height limit of 27 metres to the roof itself.</b>  <b>There are however, encroachments</b>

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Clause	Yes	No	N/A	Comment
<p>(b) to ensure that the height of buildings is compatible with the character of the locality</p> <p><b>(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.</b></p> <p>(2A) Despite subclause (2), the maximum height of office premises and hotel or motel accommodation is:</p> <p>(a) if it is within the Parramatta Road Precinct, as shown edged orange on the Height of Buildings Map—27 metres,</p> <p>(b) if it is on land within Zone B6 Enterprise Corridor within the Silverwater Road Precinct, as shown edged light purple on the Height of Buildings Map—14 metres.</p>	<p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>above the maximum level for the roof parapet and plant room overruns. The definition of building height in the ALEP 2010 is inclusive of lift overruns and non architectural features.</p> <p>The encroachments for the roof parapet vary between 1.76 mm and 200 mm. The plant room overruns for each lift core are an additional 200 mm (maximum encroachment 400 mm)</p> <p>The parapet encroachments can be absorbed via very minor reductions on a floor by floor basis. Additionally, lift plant can be accommodated in the basement of the proposal in order to achieve a fully compliance height.</p> <p>Accordingly, it is considered appropriate that full compliance be achieved in this instance and if the development is approved, it is recommended that condition be imposed to have the design amended to achieve strict compliance with the building height controls.</p>
<p><b>4.4 Floor space ratio</b></p> <p>(1) The objectives of this clause are as follows:</p> <p>(a) To establish a maximum floor space ratio to enable appropriate development density to be achieved, and</p> <p>(b) To ensure that development intensity reflects its locality.</p> <p>(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.</p> <p>(2A) Despite subclause (2), the maximum floor space ratio for development for the purpose of multi dwelling housing on land other than land within the Former Lidcombe Hospital Site, as shown edged black on the Floor Space Ratio Map, is as follows:</p> <p>(a) for sites less than 1,300 square metres—0.75:1,</p> <p>(b) for sites that are 1,300 square metres or greater but less than 1,800 square metres—0.80:1,</p> <p>(c) for sites that are 1,800 square metres</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>The proposal's floor space ratio is 2.94: 1 which is less than the maximum allowable floor space ratio limit of 3.0 : 1. The development is acceptable in this regard.</p> <p>The development will establish the desired future density of the B4 – Mixed use zone.</p> <p>No floor space concession control are being applied in this instance. The proposal complies with the stipulated floor space limit.</p>

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Clause	Yes	No	N/A	Comment
<p>or greater—0.85:1.</p>				
<p>(2B) Despite subclause (2), the maximum floor space ratio for the following development on land in Zone B6 Enterprise Corridor within the Parramatta Road Precinct, as shown edged orange on the Floor Space Ratio Map, is as follows:</p>				
<p>(a) 1.5:1 for bulky goods premises, entertainment facilities, function centres and registered clubs, and</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>(b) 3:1 for office premises and hotel or motel accommodation.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>(2C) Despite subclause (2), the maximum floor space ratio for the following development on land in Zone B6 Enterprise Corridor within the Silverwater Road Precinct, as shown edged light purple on the Floor Space Ratio Map, is as follows:</p>				
<p>(a) 1.5:1 for bulky goods premises, entertainment facilities, function centres and registered clubs, and</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>(b) 2:1 for office premises and hotel or motel accommodation.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

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**ATTACHMENT 1**

Clause	Yes	No	N/A	Comment
<p><b>4.5 Calculation of floor space ratio and site area</b></p>				
<p><b>(1) Objectives</b></p>				
<p>The objectives of this clause are as follows:</p>				
<p>(a) to define <i>floor space ratio</i>,</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Noted
<p>(b) to set out rules for the calculation of the site area of development for the purpose of applying permitted floor space ratios, including rules to:</p>				
<p>(i) prevent the inclusion in the site area of an area that has no significant development being carried out on it, and</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The site is one individual consolidated site which does not rely on any adjoining or additional site to achieve the floor space ratio.
<p>(ii) prevent the inclusion in the site area of an area that has already been included as part of a site area to maximise floor space area in another building, and</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>(iii) require community land and public places to be dealt with separately.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>(2) Definition of "floor space ratio"</b></p>				
<p>The <i>floor space ratio</i> of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.</p>				
<p><b>(3) Site area</b></p>				
<p>In determining the site area of proposed development for the purpose of applying a floor space ratio, the <i>site area</i> is taken to be:</p>				
<p>(a) if the proposed development is to be carried out on only one lot, the area of that lot, or</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	One development site only.
<p>(b) if the proposed development is to be carried out on 2 or more lots, the area of any lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>In addition, subclauses (4)–(7) apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development.</p>				
<p><b>(4) Exclusions from site area</b></p>				
<p>The following land must be excluded from the site area:</p>				
<p>(a) land on which the proposed development is prohibited, whether under this Plan or any other law,</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No exclusions in accordance with this clause are being applied.
<p>(b) community land or a public place (except as provided by subclause (7)).</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

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**ATTACHMENT 1**

Clause	Yes	No	N/A	Comment
<p><b>(5) Strata subdivisions</b></p> <p>The area of a lot that is wholly or partly on top of another or others in a strata subdivision is to be included in the calculation of the site area only to the extent that it does not overlap with another lot already included in the site area calculation.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No existing strata subdivision or proposed strata subdivision being applied.
<p><b>(6) Only significant development to be included</b></p> <p>The site area for proposed development must not include a lot additional to a lot or lots on which the development is being carried out unless the proposed development includes significant development on that additional lot.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>(7) Certain public land to be separately considered</b></p> <p>For the purpose of applying a floor space ratio to any proposed development on, above or below community land or a public place, the site area must only include an area that is on, above or below that community land or public place, and is occupied or physically affected by the proposed development, and may not include any other area on which the proposed development is to be carried out.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No public land incorporated into the proposal.
<p><b>(8) Existing buildings</b></p> <p>The gross floor area of any existing or proposed buildings within the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All above ground floors of the proposal are factored into the floor space ratio calculation. The development complies in this regard.
<p><b>(9) Covenants to prevent "double dipping"</b></p> <p>When consent is granted to development on a site comprised of 2 or more lots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Site is one individual consolidated site.
<p><b>(10) Covenants affect consolidated sites</b></p> <p>If:</p> <p>(a) a covenant of the kind referred to in subclause (9) applies to any land (<i>affected land</i>), and</p> <p>(b) proposed development relates to the affected land and other land that together comprise the</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No consolidation covenant are being

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**ATTACHMENT 1**

Clause	Yes	No	N/A	Comment
<p>site of the proposed development, the maximum amount of floor area allowed on the other land by the floor space ratio fixed for the site by this Plan is reduced by the quantity of floor space area the covenant prevents being created on the affected land.</p> <p><b>(11) Definition</b></p> <p>In this clause, <b>public place</b> has the same meaning as it has in the <i>Local Government Act 1993</i>.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	applied in this instance.
<p><b>4.6 Exceptions to development standards</b></p> <p>(1) The objectives of this clause are:</p> <p>(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and</p> <p>(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.</p> <p>(2) Consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.</p> <p>(3) Consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:</p> <p>(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and</p> <p>(b) that there are sufficient environmental planning grounds to justify contravening the development standard.</p> <p>(4) Consent must not be granted for development that contravenes a development standard unless:</p> <p>(a) the consent authority is satisfied that:</p> <p>(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3),</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>No exceptions to development standards applied for by the applicant in accordance with this however note Clause 4.3 Building Height discussion relating the encroachments in the design relating to the roof parapets and lift core overruns.</p> <p>As the matter is proposed to be addressed via a condition of consent, there is no discussion provided under this clause to variations to Development Standards as the resultant building design will be fully compliance with all applicable development standards.</p>

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Clause	Yes	No	N/A	Comment
and				
(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the concurrence of the Director-General has been obtained.				
(5) In deciding whether to grant concurrence, the Director-General must consider:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the public benefit of maintaining the development standard, and				
(c) any other matters required to be taken into consideration by the Director-General before granting concurrence.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(6) Not applicable	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(8) This clause does not allow consent to be granted for development that would contravene any of the following:				
(a) a development standard for complying development,				
(b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> applies or for the land on which such a building is situated,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) clause 5.4.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

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**ATTACHMENT 1**

Clause	Yes	No	N/A	Comment
<b>Part 5 Miscellaneous provisions</b>				
<b>5.6 Architectural roof features</b>				
<p>(1) The objectives of this clause are:</p> <p>(a) To ensure that any decorative roof element does not detract from the architectural design of the building, and</p> <p>(b) To ensure that prominent architectural roof features are contained within the height limit.</p> <p>(2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with consent.</p> <p>(3) Development consent must not be granted to any such development unless the consent authority is satisfied that:</p> <p>(a) the architectural roof feature:</p> <p>(i) comprises a decorative element on the uppermost portion of a building, and</p> <p>(ii) is not an advertising structure, and</p> <p>(iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and</p> <p>(iv) will cause minimal overshadowing, and</p> <p>(b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.</p>	<p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>The roof parapet and lift overruns are not considered to be architectural roof features and accordingly do not receive a height concession in relation to this clause.</p> <p>The height non compliance issue is to be dealt with via a condition of consent and no concession is being allowed under this clause.</p>
<b>5.10 Heritage conservation</b>				
<p><b>Note.</b> Heritage items, heritage conservation areas and archaeological sites (if any) are shown on the Heritage Map. The location and nature of any such item, area or site is also described in Schedule 5.</p>				
<b>(1) Objectives</b>				
The objectives of this clause are:				
(a) to conserve the environmental heritage of Auburn, and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The subject development site is located northwest of a known heritage item (item number 117) at 24 Mary Street,
(b) to conserve the heritage significance of	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Clause	Yes	No	N/A	Comment
heritage items and heritage conservation areas including associated fabric, settings and views, and				Auburn known as Lea's Temperance Hall (former).
(c) to conserve archaeological sites, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The subject developments main impact will be some late afternoon overshadowing from 3 pm on June 21. The majority of the year would not result in any overshadowing of the heritage item.
(d) to conserve places of Aboriginal heritage significance.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>(2) Requirement for consent</b>				
Development consent is required for any of the following:				In relation to this clause a heritage impact assessment has not be required to be submitted as the B4 Mixed use zone (in general) surrounding the Auburn Town Centre contains numerous heritage items however in the consideration made in conjunction with the review of the ALEP 2010 the floor space ratio and building height development standards were still set.
(a) demolishing or moving a heritage item or a building, work, relic or tree within a heritage conservation area,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Therefore, beyond the minor overshadowing impact from a substantially compliant building proposal there is no other impact as a result of the proposal. There will be no loss of heritage significance of the building or damage to its existing facade. The development is considered acceptable with regard to the heritage provisions of the ALP 2010.
(b) altering a heritage item or a building, work, relic, tree or place within a heritage conservation area, including (in the case of a building) making changes to the detail, fabric, finish or appearance of its exterior,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) altering a heritage item that is a building by making structural changes to its interior,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(e) disturbing or excavating a heritage conservation area that is a place of Aboriginal heritage significance,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(f) erecting a building on land on which a heritage item is located or that is within a heritage conservation area,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(g) subdividing land on which a heritage item is located or that is within a heritage conservation area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>(3) When consent not required</b>				
However, consent under this clause is not required if:				
(a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:				
(i) is of a minor nature, or is for the maintenance of the heritage item, archaeological site, or a building, work, relic, tree or place within a heritage conservation area, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(ii) would not adversely affect the				

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Clause	Yes	No	N/A	Comment
<p>significance of the heritage item, archaeological site or heritage conservation area, or</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the development is in a cemetery or burial ground and the proposed development:				
(i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to a place of Aboriginal heritage significance, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or				
(d) the development is exempt development.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>Note.</b> For land known as Rookwood Cemetery zoned SP1 Cemetery, development consent from, and notification to, the consent authority is not required under this plan for the further use of an existing grave site or crypt within a graveyard that is a heritage item, provided the heritage significance of the item is not adversely affected.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>(4) Effect on heritage significance</b></p>				
<p>The consent authority must, before granting consent under this clause, consider the effect of the proposed development on the heritage significance of the heritage item or heritage conservation area concerned. This subclause applies regardless of whether a heritage impact statement is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>(5) Heritage impact assessment</b></p>				
<p>The consent authority <i>may</i>, before granting consent to any development on land:</p>				
(a) on which a heritage item is situated, or				
(b) within a heritage conservation area, or				
(c) within the vicinity of land referred to in paragraph (a) or (b),	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>require a heritage impact statement to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p>	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Clause	Yes	No	N/A	Comment
<p><b>(6) Heritage conservation management plans</b></p>				
<p>The consent authority may require, after considering the significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>(7) Archaeological sites</b></p>				
<p>The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the <i>Heritage Act 1977</i> applies):</p>				
<p>(a) notify the Heritage Council of its intention to grant consent, and</p>				
<p>(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>(8) Places of Aboriginal heritage significance</b></p>				
<p>The consent authority must, before granting consent under this clause to the carrying out of development in a place of Aboriginal heritage significance:</p>				
<p>(a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place, and</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>(b) notify the local Aboriginal communities (in such way as it thinks appropriate) about the application and take into consideration any response received within 28 days after the notice is sent.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>(9) Demolition of item of State significance</b></p>				
<p>The consent authority must, before granting consent for the demolition of a heritage item identified in Schedule 5 as being of State significance (other than an item listed on the State Heritage Register or to which an interim heritage order under the <i>Heritage Act 1977</i> applies):</p>				
<p>(a) notify the Heritage Council about the application, and</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	



Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Clause	Yes	No	N/A	Comment
3 Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4 Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5 Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.				
(4) Despite subclause (2) Development consent is not required under this clause for the carrying out of works if:				
(a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(5) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power):				
(a) emergency work, being the repair or replacement of the works of the public authority required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Clause	Yes	No	N/A	Comment
<p>environment or to public health and safety,</p> <p>(b) routine management work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),</p> <p>(c) minor work, being work that costs less than \$20,000 (other than drainage work).</p> <p>(6) Despite subclause (2), development consent is not required under this clause to carry out any works if:</p> <p>(a) the works involve the disturbance of more than 1 tonne of soil, such as occurs in carrying out agriculture, the construction or maintenance of drains, extractive industries, dredging, the construction of artificial water bodies (including canals, dams and detention basins) or foundations, or flood mitigation works, or</p> <p>(b) the works are likely to lower the watertable.</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	
<p><b>6.2 Earthworks</b></p> <p>(1) The objectives of this clause are as follows:</p> <p>(a) to ensure that earthworks for which a development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses or heritage items and features of the surrounding land,</p> <p>(b) to allow earthworks of a minor nature without separate development consent.</p> <p>(2) Development consent is required for earthworks, unless:</p> <p>(a) the work does not alter the ground level (existing) by more than 600 millimetres, or</p> <p>(b) the work is exempt development under this Plan or another applicable environmental planning instrument, or</p> <p>(c) the work is ancillary to other development for which development consent has been given.</p> <p>(3) Before granting development consent for earthworks, the consent authority must consider the following matters:</p>	<p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>Development consent is required for the proposed basement level excavations.</p>

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Clause	Yes	No	N/A	Comment
(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed excavations is not anticipated to disrupt local drainage patterns or soil stability.
(b) the effect of the proposed development on the likely future use or redevelopment of the land,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed development is in accordance with the desired future character of the area and zone B4 – mixed use zone objectives.
(c) the quality of the fill or of the soil to be excavated, or both,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All fill taken from the site will be required to be taken to an approved landfill site.
(e) the source of any fill material and the destination of any excavated material,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As before, the proposal will establish the benchmark for mixed use development in the locality.
(f) the likelihood of disturbing relics,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Soil has been tested in accordance with SEPP 55 requirements. All off site soil disposal to be to an approved landfill site.
(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site is not identified as a potential archaeological site. There are no waterways or environmentally sensitive areas in vicinity.
<b>Note.</b> The <i>National Parks and Wildlife Act 1974</i> , particularly section 86, deals with disturbing or excavating land and Aboriginal objects.				

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Clause	Yes	No	N/A	Comment
<b>6.3 Flood planning</b>				
(1) The objectives of this clause are:				The site is not identified as being flood prone as per the maps in the ALEP 2010. This clause is not applicable to the development.
(a) to minimise the flood risk to life and property associated with the use of land,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) to avoid significant adverse impacts on flood behaviour and the environment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(2) This clause applies to:				
(a) land that is shown as "Flood planning area" on the Flood Planning Map, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) other land at or below the flood planning level.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that the development:				
(a) is compatible with the flood hazard of the land, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) incorporates appropriate measures to manage risk to life from flood, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) A word or expression used in this clause has the same meaning as it has in the NSW Government's <i>Floodplain Development Manual</i> published in 2005, unless it is otherwise defined in this clause.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(5) In this clause:  <b>flood planning level</b> means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.				



Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

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**ATTACHMENT 1**

<b>Clause</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Comment</b>
<i>Flood Planning Map</i> means the Auburn Local Environmental Plan 2010 Flood Planning Map.				

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Clause	Yes	No	N/A	Comment
<b>6.4 Foreshore building line</b>				
(1) The objective of this clause is to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The subject site is not affected by a foreshore building line.
(2) This clause applies to land identified as below the foreshore building line on the Foreshore Building Line Map.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) Development consent must not be granted for development on land in the foreshore area except for the following purposes:				
(a) the extension, alteration or rebuilding of an existing building wholly or partly in the foreshore area,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the erection of a building in the foreshore area, if the levels, depth or other exceptional features of the site make it appropriate to do so,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) boat sheds, sea retaining walls, wharves, slipways, jetties, waterway access stairs, swimming pools, fences, cycleways, walking trails, picnic facilities or other recreation facilities (outdoors).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) Development consent must not be granted under subclause (3) unless the consent authority is satisfied that:				
(a) the development will contribute to achieving the objectives for the zone in which the land is located, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the appearance of any proposed structure, from both the waterway and adjacent foreshore areas, will be compatible with the surrounding area, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) the development is not likely to cause environmental harm such as:				
(i) pollution or siltation of the waterway, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(ii) an adverse effect on surrounding uses, marine habitat, wetland areas, flora or fauna habitats, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(iii) an adverse effect on drainage patterns, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d) the development will not cause congestion of, or generate conflicts between, people using open space areas or the waterway, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(e) opportunities to provide continuous	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

Clause	Yes	No	N/A	Comment
<p>public access along the foreshore and to the waterway will not be compromised, and</p> <p>(f) any historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development is to be carried out and of surrounding land will be maintained,</p> <p>(g) in the case of development for the alteration or rebuilding of an existing building wholly or partly in the foreshore area, the alteration or rebuilding will not have an adverse impact on the amenity or aesthetic appearance of the foreshore, and</p> <p>(h) sea level rise or change of flooding patterns as a result of climate change have been considered.</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	
<p><b>6.5 Essential Services</b></p> <p>(1) Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:</p> <p>(a) the supply of water,</p> <p>(b) the supply of electricity,</p> <p>(c) the disposal and management of sewage.</p> <p>(d) stormwater drainage or on-site conservation,</p> <p>(e) suitable road access.</p> <p>(2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any essential service referred to in this clause.</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>The listed services are currently available to the site.</p> <p>Should the development be approved conditions will be imposed requiring that the all serviced be augmented as necessary in accordance with service provider requirements.</p>

**The provisions of any Draft Environmental Planning Instruments (EP& A Act s79C(1)(a)(ii))**

Draft auburn local environmental plan (amendment no. 1)

The draft LEP (amendment no. 1) seeks to encourage large scale retail premises on a section of Parramatta road. The draft auburn LEP also aims to reclassify and rezone land owned by council to enable its disposal.

The draft plan does not have any particular relevance to the proposed development.

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

**ATTACHMENT 1**

**The provisions of any Development Control Plans (EP& A Act s79C(1)(a)(iii))**

**ADCP 2010 – Local Centres**

The relevant objectives and requirements of the DCP 2010 Local Centres have been considered in the following assessment table:

Requirement	Yes	No	N/A	Comments																								
<b>2.0 Built Form</b>																												
<b>Objectives</b>																												
a. To provide richness of detail and architectural interest, especially to visually prominent parts of buildings such as lower storeys and street facades.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed design is considered to be a high quality design of contemporary appearance to establish the desired future character of the zone and locality.  The design substantially complies with the new ALEP 2010 building FSR and building height controls.																								
b. To ensure that the form, scale, design and nature of development enhances the streetscape and visual quality of commercial areas within the Auburn local government area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																									
c. To ensure that the built form and density of a new development respects the scale, density and desired future character of the area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																									
d. To ensure development appropriately supports the centres hierarchy within the Auburn local government area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																									
<b>2.1 Number of storeys</b>																												
<b>DI The maximum number of storeys shall be as per the table below:</b> <b>Table 1 – Number of storeys</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The DCP controls relating to the maximum permitted number of storeys within a building are intended to ensure suitable floor to ceiling heights are provided for purely commercial buildings, which typically require substantially larger ceiling heights compared with residential development types. In this instance, a mixed use development is being proposed, incorporating both commercial and residential units.  The proposed commercial units are appropriately provided with large floor to ceiling heights, whilst residential units have reduced heights. Given that both commercial and residential floor to ceiling heights satisfy the requirements of Residential Flat Design Code (detailed above), the variation to the DCP standard is considered acceptable in this instance.																								
<table border="1"> <thead> <tr> <th>ALEP 2010 maximum building height</th> <th>Maximum number of storeys</th> </tr> </thead> <tbody> <tr> <td colspan="2"><b>B1 Neighbourhood Centre zone</b></td> </tr> <tr> <td>14 metres (excluding Wentworth Point Neighbourhood Centre)</td> <td>3 storeys</td> </tr> <tr> <td>17 metres (Wentworth Point Neighbourhood Centre only)</td> <td>4 storeys</td> </tr> <tr> <td colspan="2"><b>B2 Local Centre zone</b></td> </tr> <tr> <td>14 metres (excluding Newington Small Village)</td> <td>3 storeys</td> </tr> <tr> <td>16 metres (Newington Small Village only)</td> <td>3 storeys</td> </tr> <tr> <td colspan="2"><b>B4 Mixed Use zone</b></td> </tr> <tr> <td>18 metres</td> <td>4 storeys</td> </tr> <tr> <td><b>27 metres</b></td> <td><b>6 storeys</b></td> </tr> <tr> <td>32 metres</td> <td>8 storeys</td> </tr> <tr> <td>36 metres</td> <td>9 storeys</td> </tr> </tbody> </table>	ALEP 2010 maximum building height	Maximum number of storeys	<b>B1 Neighbourhood Centre zone</b>		14 metres (excluding Wentworth Point Neighbourhood Centre)	3 storeys	17 metres (Wentworth Point Neighbourhood Centre only)	4 storeys	<b>B2 Local Centre zone</b>		14 metres (excluding Newington Small Village)	3 storeys	16 metres (Newington Small Village only)	3 storeys	<b>B4 Mixed Use zone</b>		18 metres	4 storeys	<b>27 metres</b>	<b>6 storeys</b>	32 metres	8 storeys	36 metres	9 storeys	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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32 metres	8 storeys																											
36 metres	9 storeys																											
14 metres (excluding Wentworth Point Neighbourhood Centre)	3 storeys	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>																								
17 metres (Wentworth Point Neighbourhood Centre only)	4 storeys	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>																								
14 metres (excluding Newington Small Village)	3 storeys	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>																								
16 metres (Newington Small Village only)	3 storeys	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>																								
18 metres	4 storeys	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>																								
<b>27 metres</b>	<b>6 storeys</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>																								
32 metres	8 storeys	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>																								
36 metres	9 storeys	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>																								

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<b>2.2 Articulation and proportion</b>				
<b>Performance criteria</b>				
<b>P1</b> The bulk, scale and intensity of development is consistent with the scale of surrounding existing and planned developments.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The bulk and scale of the development is considered appropriate with regard to the future desired character of the area and zone objectives.
<b>P2</b> Existing horizontal or vertical rhythms in a streetscape are complemented by new facades. Visual interest in a building is achieved by: articulation of facade into horizontal divisions of base, middle and top; balcony and fenestration details; and proportion, spacing and modelling of the surface through detail and relief.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed development will establish the standard of mixed use development in the locality.  The building can be divided into distinct element comprising the commercial base, centre residential and top residential elements. The development is considered to respond well in this regard.
<b>P3</b> New facades complement the predominant horizontal and vertical proportions in the street and are compatible with surrounding buildings.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>Development controls</b>				
<b>D1</b> Buildings shall incorporate:				
• balanced horizontal and vertical proportions and well spaced and proportioned windows;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed design possesses these elements.
• a clearly defined base, middle and top;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed design possesses these elements.
• modulation and texture; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed design possesses these elements. The building is modulated with the provision of recesses in all facades of the building.
• architectural features which give human scale at street level such as entrances and porticos.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The ground floor is of an appropriate scale.
<b>D2</b> The maximum width of blank walls for building exteriors along key retail streets shall be 5m or 20% of the street frontage, whichever is the lesser.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are no blank walls proposed at the street level facade. The public domain interface is considered to provide an appropriate level of visual interest.
<b>D3</b> Articulation of the building exterior shall be achieved through recesses in the horizontal and vertical plane, adequate contrasts in materials, design features and the use of awnings.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed design possesses these elements.
<b>D4</b> Features such as windows and doors shall be in proportion with the scale and size of the new building and any adjoining buildings which contribute positively to the streetscape.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D5</b> Street awnings which appear as horizontal elements along the façade of the building shall be provided as part of all new development.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	All windows and doors are considered to possess appropriate proportions.  There is an awning provided over the commercial tenancies however it is located within the site and the public domain interface is delineated via stairs, landscaping, wheelchair access ramp and level changes.

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<p><b>2.3 Materials</b> <b>Performance criteria</b> <b>P1</b> Materials enhance the quality and character of the business precinct.</p> <p><b>Development controls</b> <b>D1</b> New buildings shall incorporate a mix of solid (i.e. masonry concrete) and glazed materials, consistent with the character of buildings in the locality.</p> <p><b>D2</b> Building materials and finishes complement the finishes predominating in the area. Different materials, colours or textures may be used to emphasise certain features of the building.</p> <p><b>D3</b> Building facades at street level along primary streets and public places consist of a minimum of 80% for windows/glazed areas and building and tenancy entries.</p> <p><b>D4</b> Visible light reflectivity from building materials used on the facades of new buildings shall not exceed 20%.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposed materials are considered to be of high quality and contemporary appearance. The development is acceptable in this regard.</p> <p>The facade contains glass and solid masonry elements. The building will establish the future character of the area.</p> <p>The facade at the street is a public interface zone which delineates the public footpath and commercial tenancies. The delineation zone is considered to be an appropriate response in this instance.</p> <p>If approval is considered, this can be conditioned.</p>
<p><b>2.4 Roofs</b> <b>Performance criteria</b> <b>P1</b> Roof design is integrated into the overall building design.</p> <p><b>Development controls</b> <b>D1</b> Design of the roof shall achieve the following:</p> <ul style="list-style-type: none"> <li>• concealment of lift overruns and service plants;</li> <li>• presentation of an interesting skyline;</li> <li>• enhancing views from adjoining developments and public places; and</li> <li>• complementing the scale of the building.</li> </ul> <p><b>D2</b> Roof forms shall not be designed to add to the perceived height and bulk of the building.</p> <p><b>D3</b> Where outdoor recreation areas are proposed on flat roofs, shade structures and wind screens shall be provided.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposed parapet is a flat horizontal element to the building.</p> <p>Should the lift overruns be retained on the roof post deferred commencement (See ALEP 2010 Assessment Clause 4.3) the plant rooms will be appropriately setback from the roof edges and not visible from the street. While the parapet is horizontal, visual interest is provided to the roof line via top floor pergolas and modulation of the facade. The development is acceptable in this regard.</p> <p>The roof is appropriate in this instance.</p> <p>The roof design is not considered to add to the perceived bulk and scale of the building. No outdoor open space is proposed upon the roof. All communal outdoor space is located behind the building on the northern side of the site.</p>
<p><b>2.5 Balconies</b> <b>Performance criteria</b> <b>P1</b> Balconies contribute positively to the amenity of residents and the visual quality of the local centre.</p> <p><b>Development controls</b> <b>D1</b> Balustrades and balconies shall be constructed from a balance of solid and transparent material to allow for views from the interior.</p> <p><b>D2</b> Balconies and terraces shall be oriented to overlook public spaces.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The facade and balconies present to the street in a coordinated balance of glass, masonry and screen elements.</p> <p>All balconies within the development face either Mary Street or the northern communal</p>

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<p><b>D3</b> The design of the underside of the balcony shall take into consideration the view of the underside from the street and shall not have exposed pipes and utilities.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>open space of the site. Drainage services are orientated towards the rear to the site or service plenums adjacent to the lift shafts. The development is acceptable in this regard.</p>
<p><b>D4</b> Screens, louvers or similar devices shall be provided to balconies so as to visually screen any drying of laundry.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Screening elements are proposed.</p>
<p><b>2.6 Interface with schools, places of public worship, and public precincts</b></p>				
<p><b>Development controls</b></p>				
<p><b>D1</b> Where a site adjoins a school, place of public worship or public open space:</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The Catholic Trinity College is located to the north east of the subject development site over the rear property boundary. The development has undertaken all reasonable measures to appropriately site the building to minimise the impacts of the development to the school. The resultant 11 metre wide deep soil zone will also enable the deep soil area be capable of supporting large trees (proposed on the landscaping plan)</p>
<ul style="list-style-type: none"> <li>• This interface shall be identified in the site analysis plan and reflected in building design;</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>• Building design incorporates an appropriate transition in scale and character along the site boundary(s);</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Any further increase to the setbacks will start to impact upon the amenity of the units as provided.</p>
<ul style="list-style-type: none"> <li>• Building design presents an appropriately detailed facade and landscaping in the context of the adjoining land use.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The development is considered to be acceptable in this regard.</p>
<p><b>D2</b> The potential for overlooking of playing areas of schools shall be minimised by siting, orientation or screening.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>D3</b> Fencing along boundaries shared with public open space shall have a minimum transparency of 50%.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The development does not directly adjoin public open space.</p>
<p><b>D4</b> Sight lines from adjacent development to public open space shall be maintained and/or enhanced. Direct, secure private access to public open space is encouraged, where possible.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>3.0 Streetscape and Urban form</b></p>				
<p><b>Objectives</b></p>				
<p>a. To ensure development integrates well with the locality and respects the streetscape, built form and character of the area.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The development as proposed will establish the desired future character of the locality and zone objectives. Accordingly the development, if constructed will have no relationship with the existing buildings which immediately adjoin the site however the area has been slated for redevelopment the proposal will set an important benchmark for the locality.</p>
<p>b. To encourage innovative development which is both functional and attractive in its context.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>3.1 Streetscape</b></p>				
<p><b>Performance criteria</b></p>				
<p><b>P1</b> New and infill development respects the integrity of the existing streetscape and is sympathetic in terms of scale, form, height, shopfront character, parapet, verandah design, and colours and materials, in a manner which interprets the traditional architecture, albeit in modern forms</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The development as proposed will establish the desired future character of the locality and zone objectives. The building as proposed is considered to be an appropriate design given the zoning and location relative to the auburn town Centre.</p>

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<p>and materials.</p> <p><b>P2</b> New development conserves and enhances the existing character of the street with particular reference to architectural themes.</p> <p><b>Development controls</b></p> <p><b>D1</b> Applicants shall demonstrate how new development addresses the streetscape and surrounding built environment.</p> <p><b>D2</b> Signage shall be minimised and coordinated to contribute to a more harmonious and pleasant character for the locality.</p>	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input checked="" type="checkbox"/>	<p>Accordingly the development, if constructed will have no relationship with the existing buildings which immediately adjoin the site however the area has been slated for redevelopment the proposal will set an important benchmark for the locality.</p> <p>There are no signs proposed for this development.</p>
<p><b>3.2 Setbacks</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> The setback of new buildings is consistent with the setback of adjoining buildings.</p> <p><b>P2</b> The built edge of development at the street frontage contributes to a sense of enclosure and scale within the centre.</p> <p><b>P3</b> The design of landmark or gateway buildings on corner and junction sites recognises the importance of these sites as dominant elements in the streetscape.</p> <p><b>P4</b> The design of infill buildings reinforces continuity, symmetry and unity in the streetscape.</p> <p><b>Development controls</b></p> <p><b>D1</b> New development or additions to existing development shall adopt the following front setbacks:</p> <ul style="list-style-type: none"> <li>• Nil setbacks for the first two storeys, particularly if adjoining buildings are on a nil setback. This reinforces the existing continuity of the streetscape.</li> <li>• Where new buildings are more than two storeys in height, the levels above the first two storeys are set back by stepping the upper levels and/or roof.</li> </ul> <p><b>D2</b> Corner sites shall reinforce the street corner, incorporate strong architectural elements and adhere to a nil setback for the lower two storeys.</p> <p><b>D3</b> Where business development is located adjacent to existing residential properties, new development shall be set back from side boundaries as follows:</p> <ul style="list-style-type: none"> <li>• External walls – 900mm for single storey development.</li> <li>• External walls – 1500mm for two storeys.</li> </ul>	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input checked="" type="checkbox"/>  <input type="checkbox"/>  <input checked="" type="checkbox"/>  <input type="checkbox"/>  <input checked="" type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input checked="" type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input checked="" type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<p>The building as proposed provides a 4 metre setback to the commercial tenancies with a defined transition area of stairs, landscaping, wheelchair access ramp and level changes. Being on the edge of the town centre the response is considered to be appropriate in this instance.</p> <p>The site is not located on a corner or identified as a gateway site as there are sites available for future development located west of the subject development site.</p> <p>The development is not infill development.</p> <p>The development has not utilised a nil setback in this instance nor is it considered appropriate to have a nil setback provided as the development is located on the outer edge of the zone and not the primary commercial centre of the auburn Town Centre. The setback and public domain transition as proposed is considered be provide a better response with regard to the relationship to adjoining existing dwellings.</p> <p>See also the assessment provided under the SEPP 65 section of the report in relation to setbacks and building separation.</p> <p>The development is considered to be acceptable in this regard.</p>



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Depending on performance and other criteria, side setbacks may be required to be increased in order to minimise potential impacts on adjoining properties in terms of solar amenity, views, privacy and overshadowing.				
<b>4.0 Mixed Use Developments</b>				
<b>Objectives</b>				
<p>a. To encourage sustainable development by permitting services and employment-generating uses in conjunction with residential uses.</p> <p>b. To provide affordable residential development within close proximity to transport, employment and services.</p> <p>c. To enhance the vitality and safety of commercial centres by encouraging further residential development.</p> <p>d. To achieve a lively and active street frontage by encouraging the integration of appropriate retail and commercial uses with urban housing.</p>	<input checked="" type="checkbox"/>    <input checked="" type="checkbox"/>    <input checked="" type="checkbox"/>    <input checked="" type="checkbox"/>    	<input type="checkbox"/>    <input type="checkbox"/>    <input type="checkbox"/>    <input type="checkbox"/>    	<input type="checkbox"/>    <input type="checkbox"/>    <input type="checkbox"/>    <input type="checkbox"/>    	The development is considered to be substantially in accordance with the mixed use development objectives. The development will create employment opportunity, enjoy connectivity to existing public transport services, enhance the vitality of the area and increase the activation of the street. The development is acceptable in this regard.
<b>4.1 Building design</b>				
<b>Performance criteria</b>				
<b>PI</b> Mixed use developments are designed to architecturally express the different functions of the building while sympathetically integrating into the local centre streetscape.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development is considered to respond well in this regard.
<b>Development controls</b>				
<b>D1</b> The architecture of ground level uses shall reflect the commercial/retail function of the centre.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The ground floor is identifiable as a commercial component of the development. The residential lobbies are separated from the commercial tenancies. The building will establish the future character of the precinct.
<b>D2</b> Buildings shall achieve a quality living environment that sympathetically integrates into the character of the commercial precinct.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D3</b> Commercial and retail servicing, loading and parking facilities shall be separated from residential access and servicing and parking.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>4.2 Active street frontages</b>				
<b>Performance criteria</b>				
<b>PI</b> Street activity is enhanced by:				No uses of the commercial tenancies is proposed under this application however the proposed building can entertain a number of uses as outlined under the B4 Mixed Use zone of the ALEP 2010 assessment.
<ul style="list-style-type: none"> <li>• the concentration of retail outlets and restaurants at street level; and</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>• the number of entrances at street level.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Development controls</b>				
<b>D1</b> Retail outlets and restaurants are located at the street frontage on the ground level.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Separate entries are provided for the commercial tenancies and the residential lobbies. The development is acceptable in this regard.
<b>D2</b> A separate and defined entry shall be provided for each use within a mixed use development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>4.3 Amenity</b>				
<b>Performance criteria</b>				
				The development is considered to deliver a

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<p><b>P1</b> The amenity provided for residents of a mixed use development is similar to that expected in residential zones in terms of visual and acoustic privacy, solar amenity and views.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>high level of amenity for the residential. See the SEPP 65 assessment section of the report.</p>
<p><b>Development controls</b> <b>D1</b> The internal environment of dwellings within mixed use developments in the vicinity of major arterial roads or railway lines shall provide an appropriate level of amenity for privacy, solar access and views.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The development is not located in near vicinity of railway lines or arterial roads.</p>
<p><b>4.4 Residential flat building component of mixed use developments</b> Applicants shall consult the Residential Flat Buildings Part of this DCP for the design requirements for the residential flat building component of a mixed use development.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Assessment provided later in addition to the SEPP 65 assessment undertaken.</p>
<p><b>5.0 Privacy and Security</b></p>				
<p><b>Objectives</b></p>				
<p>a. To provide personal and property security for residents and visitors and enhance perceptions of community safety.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposal is considered to promote safety and security in the local area by increasing the opportunity for general pedestrian activity and passive surveillance in the locality.</p>
<p>b. To enhance the architectural character of buildings at night, improve safety and enliven the town centre at night.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The development has provided numerous privacy features to ensure adjoining development (existing and future) is not adversely impact upon.</p>
<p><b>Performance criteria</b></p>				
<p><b>P1</b> Private open spaces and living areas of adjacent dwellings are protected from overlooking.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>All balconies with the development are orientated towards the Street or rear of the site.</p>
<p><b>P2</b> Site layout and design of buildings, including height of front fences and use of security lighting, minimises the potential for crime, vandalism and fear.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>Development controls</b></p>				
<p><b>D1</b> Views onto adjoining private open space shall be obscured by:</p> <ul style="list-style-type: none"> <li>• Screening with a maximum area of 25% openings is permanently fixed and made of durable materials; or</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Privacy screens are proposed to the edges of balconies at the side boundaries of the site.</p>
<ul style="list-style-type: none"> <li>• Incorporating planter boxes into walls or balustrades to increase visual separation between areas. Existing dense vegetation or new planting may be used as a secondary measure to further improve privacy.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The development has also been appropriately sited to provide good building separations in accordance with SEPP 65.</p>
<p><b>D2</b> Site layout and building design shall ensure that windows do not provide direct and close views into windows, balconies or private open spaces of adjoining dwellings.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>All side facing windows (to the east or the west) are from non habitable rooms (bathrooms/ bedrooms) or kitchens which do not afford the opportunity for downward viewing. The development is acceptable in this regard.</p>
<p><b>D3</b> Shared pedestrian entries to buildings shall be lockable.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>D4</b> Buildings adjacent to streets or public spaces shall be designed to allow</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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<p>casual surveillance over the public area.</p> <p><b>D5</b> Development shall be consistent with Council's Policy on Crime Prevention Through Environmental Design.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A crime safety report prepared by appropriately qualified professionals was submitted with the application stating that the development had been designed in accordance with the CPTED principles</p>
<p><b>5.1 Lighting Performance criteria</b></p> <p><b>P1</b> Lighting is provided to highlight the architectural features of a building and enhance the identity and safety of the public domain but does not floodlight the facade.</p> <p><b>P2</b> The use of integrated lighting systems in retail shops is both functional and decorative.</p> <p><b>P3</b> Lighting is sufficient for its purpose and used to make bold design statements.</p> <p><b>P4</b> Lighting does not interfere with amenity of residents or safety of motorists.</p> <p><b>Development controls</b></p> <p><b>D1</b> Lighting design shall be integrated with the interior design of a retail/commercial premise. The use of low voltage track lighting, recesses spotlighting and designer light fittings is encouraged.</p> <p><b>D2</b> Lighting systems shall incorporate specific display lighting to reinforce merchandise and provide a contrast against the street lighting generally.</p> <p><b>D3</b> Surface mounted fluorescent fixtures shall not be considered in any part of the retail areas of the premises.</p> <p><b>D4</b> The light source shall be selected to provide the desired light effect; however, fitting and methods shall be chosen produce the highest energy efficiency.</p> <p><b>D5</b> Lighting shall not interfere with the amenity of residents or affect the safety of motorists.</p> <p><b>D6</b> Excessive lighting shall not be permitted. Light spill onto the street into the public domain shall be minimised.</p>	<input checked="" type="checkbox"/>                         	<input type="checkbox"/>                         	<input type="checkbox"/>                         	<p>An awning is proposed over the commercial tenancies and accordingly any lighting will not be able to flood light the facade unless it is mounted upon the landscaping elements. None is indicated to be installed.</p> <p>No uses are proposed for the commercial tenancies under this application and accordingly lighting strategies can be considered when applications are received to commence the use of the tenancies. Given the size of the commercial tenancies it is unlikely that light intensive uses will be commenced upon the site.</p>
<p><b>5.2 Shutters and grilles Performance criteria</b></p> <p><b>P1</b> Security shutters, grilles and screens allow the viewing of shopfront windows and light to spill out onto the footpath.</p> <p><b>P2</b> Shutters, grilles and screens are to be made from durable, graffiti-resistant materials and compatible with the building style.</p>	<input checked="" type="checkbox"/>  	<input type="checkbox"/>  	<input type="checkbox"/>   <input type="checkbox"/>   <input checked="" type="checkbox"/>	<p>The commercial tenancies will be visible from the street and be made of durable glass materials</p> <p>No shutters are noted as being proposed for the commercial tenancies.</p>

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<p><b>Development controls</b></p> <p><b>D1</b> Windows and doors of existing shopfronts shall not be filled in with solid materials.</p> <p><b>D2</b> Security shutters, grilles and screens shall:</p> <ul style="list-style-type: none"> <li>• be at least 70% visually permeable (transparent);</li> <li>• not encroach or project over Council's footpaths; and</li> <li>• be made from durable, graffiti-resistant materials.</li> </ul> <p><b>D3</b> Solid, external roller shutters shall not be permitted.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>5.3 Noise</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> New commercial developments within major arterial roads or railway lines are designed to mitigate noise and vibration impacts.</p> <p><b>P2</b> Commercial uses in the local centres must minimise noise impacts on adjoining residential areas caused by loading/unloading, late night operations, use of plant and equipment and entertainment activities.</p> <p><b>Development controls</b></p> <p><b>D1</b> New commercial development (whether part of a mixed use development or not) shall comply with the provisions of the relevant acts, regulations, environmental planning instruments, Australian Standards and guidelines produced by the NSW Department of Environment, Climate Change and Water, the NSW Roads and Traffic Authority and the NSW Department of Planning as applicable for noise, vibration and quality assurance. This includes:</p> <ul style="list-style-type: none"> <li>• Development Near Rail Corridors and Busy Roads, NSW Department of Planning, December 2008 – Interim Guidelines.</li> <li>• NSW Industrial Noise Policy;</li> <li>• Interim Guideline for the Assessment of Noise from Rail Infrastructure Projects; and</li> <li>• Environmental Criteria for Road and Traffic Noise.</li> </ul> <p><b>D2</b> Restaurant and cafe design shall minimise the impact of noise associated with late night operation on nearby residents. Operation</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The development is not located in vicinity of any major arterial roads or railway lines. The provisions of this clause are not applicable to the development.</p>

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<p>includes loading/unloading of goods/materials and the use of plant and equipment at a proposed commercial premise.</p> <p><b>D3</b> An acoustic report shall be submitted with a development application for a proposed commercial use in the local centre that operates during the hours between 10pm and 6am.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>6.0 Access and Car Parking</b> In addition to this section, applicants shall consult the Parking and Loading Part of this DCP for other access, parking and loading requirements for all development within local centres.</p>				
<p><b>6.1 Access, loading and car parking requirements</b> <b>Development controls</b> <b>D1</b> Car parking rates shall be provided in accordance with the Parking and Loading Part of this DCP.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Car parking will be accommodated over two parking levels and at the rear of the building for visitor, commercial and loading requirements.</p> <p>General access and manoeuvring has been assessed by Council's engineering section as being generally acceptable subject to the modification of some requirements which have been incorporated into conditions of consent.</p> <p>With regard to car parking required the following calculations are provided:</p> <p>6 x 1 br units (1 space per unit) = 6 41 x 2 br units (1 space per unit) = 41 6 x 3 br units (2 spaces per unit) = 12 53 x 0.2 visitor (0.2 per total units) = 10.6</p> <p>Commercial</p> <p>1 per 40 sqm = <math>273.73 / 40 = 6.84</math></p> <p>1 loading bay per 4,000 sqm = 1 loading bay required.</p> <p>Total = <math>6 + 41 + 12 + 10.6 + 6.84 = 76.44</math> or 77 spaces required.</p> <p>The subject proposal proposes 81 total car parking spaces: 35 in the lower basement, 33 in the upper basement (3 designated as visitor) and 12 spaces at grade at the rear and a loading bay area.</p> <p>The at ground floor parking area comprises 4 dedicated commercial spaces and 8 visitor spaces (3 disabled)</p> <p>The development is considered to provide ample parking to service the residential and commercial components of the development. The development is considered acceptable with regard to the Parking and Loading section of the DCP.</p>
<p><b>6.2 Creation of new streets and laneways</b> <b>Performance criteria</b> <b>P1</b> All new proposed roads are designed to convey the primary function of the</p>				<p>No new streets or laneways are being proposed under this development application. This section of the DCP is not applicable.</p>

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<p>street, including:</p> <ul style="list-style-type: none"> <li>• Safe and efficient movement of vehicles and pedestrians;</li> <li>• Provision for parked vehicles and landscaping, where appropriate;</li> <li>• Location, construction and maintenance of public utilities; and</li> <li>• Movement of service and delivery vehicles.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>Development controls</b> <b>D1</b> On some sites, new streets may be able to be introduced. Where a new street shall be created, the street shall be built to Council's standards, Road Design Specification D1 and relevant Quality Assurance requirements while having regards to the circumstances of each proposal. Consideration will be given to maintaining consistency and compatibility with the design of existing roads in the locality.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>D2</b> Development adjoining a new laneway shall contribute to an attractive streetscape and presents a well designed and proportioned facade and incorporates windows, balconies, doorways and landscaping, where possible.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>D3</b> New public laneways created within large blocks shall maximise pedestrian and vehicle connections within local centres.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>D4</b> A minimum width of 6m shall be provided for all carriageways on access roads. If parallel on-street parking is to be provided, an additional width of 2.5m is required per vehicle per side.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>D5</b> New streets shall be dedicated to Council. The area of any land dedicated to Council shall be included in the site area for the purpose of calculating the floor space ratio.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>7.0 Landscaping</b>				
<b>Objectives</b>				
<p>a. To create attractive buildings, public spaces and walkways.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>It is proposed to provide a significant 535.84 sqm (31.4% of the site) outdoor communal open space and deep soil area at the rear northern boundary of the site. This is the space created from the 11 metre setback of the building to the rear (northern) boundary of the site.</p> <p>This primary deep soil area can support the growth of large trees and significant landscaping to assist in improving the local ecology of the local centre and provides a</p>
<p>b. To improve visual quality and contribute to a more positive local centre experience.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>c. To reduce impacts on climate change at the local level and improve the natural environmental features and local ecology of the local centre.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Performance criteria</b>				
<p><b>P1</b> Landscaping forms an integral part of the overall design concept.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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<p><b>P2</b> Landscape reinforces the architectural character of the street and positively contributes to maintaining a consistent and memorable character.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>significant outdoor space available for use by the occupants of the commercial tenancies and residents of the units.</p>
<p><b>P3</b> Landscaped areas are used to soften the impact of buildings and car parking areas as well as for screening purposes.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>In addition to this area additional landscaping is proposed in the form of significant planter boxes at the Mary Street elevation and first floor of the site. This landscaping will assist in softening the visual impact of the development when viewed from Mary Street.</p>
<p><b>P4</b> Landscaped areas are provided for passive and recreational use of workers.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The upper storeys are further softened by the use of setback stepping and pergola features. The development is acceptable in this regard.</p>
<p><b>Development controls</b></p>				
<p><b>D1</b> Development shall incorporate landscaping in the form of planter boxes to soften the upper level of buildings.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>D2</b> At grade car parking areas, particularly large areas, shall be landscaped so as to break up large expanses of paving. Landscaping shall be required around the perimeter and within large carparks.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The at grade parking area is adjacent to the outdoor space.</p>
<p><b>D3</b> In open parking areas, one (1) shade tree per ten (10) spaces shall be planted within the parking area.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>D4</b> Fencing shall be integrated as part of the landscaping theme so as to minimise visual impacts and to provide associated site security.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The at grade parking is located under the building and so shade trees do not need to be provided.</p>
<p><b>D5</b> Paving and other hard surfaces shall be consistent with architectural elements.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Paving to be a similar hue to the colour scheme of the building.</p>
<p><b>7.1 Street trees</b></p>				
<p><b>D1</b> Street trees shall be planted at a rate of one (1) tree per lineal metre of street frontage, even in cases where a site has more than one street frontage, excluding frontage to laneways.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Two street trees exist in the roadside kerb. Both these trees will be preserved as a result of the development.</p>
<p><b>D2</b> Street tree planning shall be consistent with Council's Street Tree Masterplan or relevant Public Domain Plan or Infrastructure Manual.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>D3</b> Significant existing street trees shall be conserved and, where possible, additional street trees shall be planted to ensure that the existing streetscape is maintained and enhanced.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>D4</b> Where street trees and the provision of awnings are required, cut-outs shall be included in the awning design to accommodate existing and future street trees.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>While the commercial spaces are covered the awning is located within the property boundary and accordingly, no cut out of the awning is required.</p>
<p><b>D5</b> Driveways and services shall be located to preserve significant trees.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The development is acceptable in this regard.</p>
<p><b>D6</b> At the time of planting, street trees shall have a minimum container size of 200 litres and a minimum height of 3.5m, subject to species availability.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

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<p><b>D7</b> Planter boxes (or similar) surrounding trees in the footpath shall be 1.2m x 1.2m, filled with approved gravel and located 200mm from the back of the kerb line.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>8.0 Energy Efficiency and Water Conservation</b>				
<b>Objectives</b>				
<p>a. To achieve energy efficient commercial and retail developments.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The development incorporates a suite of energy efficiency and water conservation measure and detailed in the submitted plans and BASIX certificate. The measures include:</p> <ul style="list-style-type: none"> <li>• Energy efficient lighting</li> <li>• Water saving fixtures</li> <li>• Appropriate floor and wall insulation measures</li> <li>• Use of shading devices over windows</li> <li>• Installed appliances to meet minimum efficiency targets</li> <li>• Instantaneous hot water system</li> <li>• Water reuse system</li> </ul> <p>The development is considered acceptable in this regard.</p> <p>With regard to overshadowing of the public domain, the building has been appropriately sited however if the building was sited in a way to minimise the overshadowing of the street, this would result in an unacceptable design outcome. Accordingly the buildings overshadowing of the street and public domain is considered acceptable in this instance.</p>
<p>b. To encourage site planning and building design which optimises site conditions to achieve energy efficiency.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>c. To minimise overshadowing of the public domain including streets and open space.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>d. To give greater protection to the natural environment by reducing greenhouse gas emissions.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>e. To encourage the installation of energy efficient and water conserving appliances.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>f. To reduce the consumption of non-renewable energy sources for the purposes of heating, water, lighting and temperature control.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>g. To minimise potable water mains demand of non residential development by implementing water efficiency measures.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>8.1 Energy efficiency</b>				
<b>Performance criteria</b>				
<p><b>PI</b> Internal building layouts are designed to minimise use of fossil fuel for heating and cooling and to encourage use of renewable energy in their running. Building materials and insulation assist thermal performance.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The building internal layout is generally considered acceptable. The building will be made out of appropriate masonry materials with suitable thermal massing properties.</p>
<b>Development controls</b>				
<p><b>DI</b> Any hot water heaters to be installed, as far as practicable, shall be solar and, to the extent that this is not practicable, shall be greenhouse gas friendly systems that achieve a minimum 3.5 Hot Water Greenhouse Score.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>As per the BASIX certificate the hot water system is required to have a minimum 5 star rating.</p>
<p><b>D2</b> The practicability of all external lighting and common areas (e.g. undercover car parking) being lit utilising renewable energy resources generated on site shall be investigated. Larger developments (buildings exceeding 400m<sup>2</sup> in area) shall investigate the viability of utilising renewable energy resources for all lighting on site. A statement shall be included with the development application addressing</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The applicant has submitted a statement that where practically possible energy efficiency measures will be undertaken within the building. As outlined in the previous section, a significant number of energy efficiency measures are to be undertaken and the development is considered acceptable in this regard.</p>



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these requirements.				
<p><b>8.2 Water conservation</b> <b>Performance criteria</b> <b>PI</b> Water efficiency is increased by appropriate building design, site layout, internal design and water conserving appliances.</p> <p><b>Development controls</b> <b>D1</b> New developments shall connect to recycle water if serviced by a dual reticulation system for permitted non potable uses such as toilet flushing, irrigation, car washing, fire fighting and other suitable purposes.</p> <p><b>D2</b> Where a property is not serviced by a dual reticulation system, development shall include an onsite rainwater harvesting system or an onsite reusable water resource for permitted non potable uses such as toilet flushing, irrigation, car washing, fire fighting and other suitable purposes.</p> <p><b>D3</b> Development shall install all water using fixtures that meet the WELS (Water Efficiency Labelling Scheme) rated industry standards.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Incorporated into the BASIX requirements.</p> <p>A dual system is not available however the applicant has opted to supply a rainwater tank to use for onsite landscaping maintenance.</p> <p>As per the BASIX requirements, water efficient fixtures are required to be incorporated into the development</p>
<p><b>8.3 Stormwater drainage</b> Applicants shall consult the Stormwater Drainage Part of this DCP for requirements for stormwater management.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposed method of stormwater disposal is generally acceptable to Council's Development engineers subject to amendments being made to the design via conditions of any consent. The development is acceptable in this regard.</p>
<p><b>8.4 Rainwater tanks</b> <b>Performance criteria</b> <b>PI</b> Adequate measures are incorporated into new development to encourage the collection and reuse of stormwater and reduce stormwater runoff.</p> <p><b>Development controls</b> <b>D1</b> Rainwater tanks shall be installed as part of all new development in accordance with the following:</p> <ul style="list-style-type: none"> <li>• The rainwater tank shall comply with the relevant Australian Standards;</li> <li>• The rainwater tank shall be constructed, treated or finished in a non-reflective material that blends in with the overall tones and colours of the subject and surrounding development;</li> <li>• Rainwater tanks shall be permitted in basements provided that the tank meets applicable Australian Standards;</li> <li>• The suitability of any type of rainwater tanks erected within the setback area of development shall be assessed on an individual case by case basis. Rainwater tanks</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A 5000 Litre rainwater tank is proposed to be provided on the ground floor of the building adjacent to the western side boundary of the site.</p> <p>A condition can be imposed in this regard.</p> <p>The tank is proposed to be located down the side of the building and camouflaged with landscaping.</p> <p>The proposed tank location and treatments are acceptable in this instance.</p>

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<p>shall not be located within the front setback; and</p> <ul style="list-style-type: none"> <li>The overflow from rainwater tanks shall discharge to the site stormwater disposal system. For details refer to the Stormwater Drainage Part of this DCP.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>This will be incorporated into the stormwater design.</p>
<p><b>8.5 Ventilation</b> <b>Performance criteria</b> <b>PI</b> Natural ventilation is incorporated into the building design.</p> <p><b>Development controls</b> <b>DI</b> The siting, orientation, use of openings and built form of the development shall maximise opportunities for natural cross ventilation for the purposes of cooling and fresh air during summer and to avoid unfavourable winter winds.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>As per the SEPP 65 section of the report, the building is 60% naturally ventilated. The development is acceptable in this regard.</p>
<p><b>8.6 Solar amenity</b> <b>Performance criteria</b> <b>PI</b> New buildings are designed to protect solar amenity for the public domain and residents.</p> <p><b>Development controls</b> <b>DI</b> Shadow diagrams shall accompany development applications for buildings which demonstrate that the proposal will not reduce sunlight to less than 3 hours between 9.00 am and 3.00 pm on 21 June for:</p> <ul style="list-style-type: none"> <li>public places or open space;</li> <li>50% of private open space areas;</li> <li>40% of school playground areas; or</li> <li>windows of adjoining residences.</li> </ul> <p><b>D2</b> Lighter colours in building materials and exterior treatments shall be used on the western facades of buildings.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The solar access to the development and surrounding existing buildings complies with the requirements listed below. See also the SEPP 65 Assessment for the solar access discussion.</p> <p>Given the orientation of the building all surrounding building will receive sufficient solar access during the morning, daytime or afternoon.</p> <p>There are no adjoining public outdoor spaces.</p> <p>Both adjoining developments private open space is located on the northern side of the proposed building and accordingly are not overshadowed by the development.</p>
<p><b>9.0 Ancillary Site Facilities</b></p>				
<p><b>9.1 Provision for goods and mail deliveries</b> <b>Performance criteria</b> <b>PI</b> New development incorporates adequate provision in its design for the delivery of goods and mail to both business and residential occupants.</p> <p><b>Development controls</b> <b>DI</b> Provision shall be made on-site for courier car parking spaces in a convenient and appropriately signposted location, preferably with access off the principal street frontage, for developments incorporating greater than 3,000m<sup>2</sup> of gross leasable floor area devoted to commercial premises.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Deliveries to the site can be made via the proposed at grade parking at the rear of the site.</p> <p>While mailboxes are not shown on the submitted plans, mailboxes can easily be provided outside of the residential lobbies. This requirement can be incorporated as a condition of consent.</p>

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<p><b>D2</b> Provision of mailboxes for residential units shall be incorporated within the foyer area of the entrance to the residential component of the mixed use developments.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>10.0 Other Relevant Controls</b></p>				
<p><b>10.1 Waste</b></p>				
<p><b>DI</b> Applicants shall consult the Waste Part of this DCP for requirements for disposal.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>An acceptable waste management plan dealing with the demolition, construction and ongoing waste phase of the development has been submitted for the application. The development is acceptable in this regard.</p>
<p><b>10.2 Access and amenity</b> <b>DI</b> Applicants shall consult the relevant provisions within the Access and Mobility Part of this DCP.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>11.0 Public Domain</b></p>				
<p><b>Objectives</b></p>				
<p>a. To ensure private development contributes to a safe, attractive and useable urban environment within the local centres of the Auburn local government area.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The development does not specifically propose significant public domain works (beyond linking their own works and vehicular crossover) within the public road reserve area. The development does however provide an attractive public domain interface zone which provides landscaping planter boxes, stairs, covered commercial area and wheelchair access on the street elevation of the ground floor. The development is considered to provide an appropriate design in this regard.</p>
<p>b. To ensure the public domain forms an integrated part of the urban fabric of commercial centres.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>c. To encourage both night and day pedestrian activity in the commercial centres.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>d. To ensure private development contributes to a positive pedestrian environment.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>e. To encourage public art in new development.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>Development controls</b></p>				
<p><b>DI</b> Any works within the public domain or which present to the public domain shall be consistent with Council's Public Domain Manual and/or the Town Centre Infrastructure Manual and Council's Policy on Crime Prevention Through Environmental Design.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>D2</b> New buildings shall contribute to the public domain through the provision of awnings, sheltered building entries, verandahs and canopies, safe pedestrian linkages to car parks, landscaping, and open space, where appropriate.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>Note:</b> Refer to the relevant Public Domain Plan and Council's Public Art Policy.</p>				
<p><b>12.0 Subdivision</b></p>				
<p><b>Objectives</b></p>				
<p>a. To ensure development sites are of a reasonable size to efficiently accommodate architecturally proportioned buildings and adequate car parking, loading facilities, etc.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>No subdivision or consolidation is required as the subject development site is of sufficient size and dimensions to accommodate the proposed development.</p>
<p>b. To provide lots which are of sufficient size to satisfy user requirements and to facilitate development of the land while having regard to site opportunities and constraints.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The applicant has not nominated to undertake a strata subdivision of the development.</p>

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<p><b>12.1 Size and dimensions</b> <b>Performance criteria</b> <b>PI</b> The size and dimension of proposed lots contribute to the orderly development of the commercial centres.</p> <p><b>Development controls</b> <b>DI</b> Proposed lots shall be of sufficient area and dimension to allow a high standard of architectural design, the appropriate siting of buildings and the provision of required car parking, loading facilities, access and landscaping.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>See 12.0</p>
<p><b>12.2 Utility services</b> <b>Performance criteria</b> <b>PI</b> All essential public utility services are provided to the development to the satisfaction of relevant authorities.</p> <p><b>Development controls</b> <b>DI</b> The applicant shall demonstrate that each proposed allotment can be connected to appropriate utility services including water, sewerage, power and telecommunications and (where available) gas. This may include advice from the relevant service authority or a suitably qualified consultant as to the availability and capacity of services.</p> <p><b>D2</b> Common trenching for gas, electricity and telecommunications shall be provided in accordance with agreements between the relevant servicing authorities in NSW.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The site is currently suitably serviced. Any augmentation required as a result of the proposal is to be undertaken at the developers expense.</p>
<p><b>13.0 Auburn Town Centre</b></p>				
<p><b>13.1 Development to which this section applies</b> This section applies to the Auburn Town Centre which is zoned B4 Mixed Use under <i>Auburn LEP 2010</i>. Refer to Figure 4. The development controls apply in addition to the development controls presented in previous sections of this Part. Where there are inconsistencies between the controls contained within this section and other controls within this DCP, these controls prevail to the extent of the inconsistency.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The subject site lies within the boundary of Figure 4.</p>
<p><b>13.2 Setbacks</b> <b>Development controls</b> <b>DI</b> Setbacks within the town centre shall be consistent with Figure 5. <b>Note:</b> Landscape setback means the provision of soft landscaping in the area between the property boundary and building. Soft landscaping includes, but is not limited to, grasses, groundcover plants, shrubs and trees. Landscape setbacks shown in this figure have been identified to maintain predominant street setback character in these locations.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>No setback is stipulated in figure 5 for the subject site. As per the assessment the street setback as proposed is considered acceptable in this instance.</p>
<p><b>13.3 Street wall heights</b></p>				

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<p><b>Performance criteria</b></p> <p><b>P1</b> Development within Auburn Town Centre strengthens urban form by providing a strong street wall.</p> <p><b>P2</b> The built edge of development fronting the street contributes to a sense of enclosure and scale within the town centre.</p> <p><b>Development controls</b></p> <p><b>D1</b> The height of the built edge to the street (street wall) formed by new or infill development within Auburn Town Centre shall be consistent with Fig 6.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>No street wall height is stipulated for the subject site as per figure 6 of the DCP. The design as submitted is accordingly considered to be appropriate in this regard.</p>
<p><b>13.4 Active frontages</b></p> <p><b>Development controls</b></p> <p><b>D1</b> As a minimum, buildings shall provide active street frontages consistent with Figure 7.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>No active frontage requirement is stipulated for the subject development site in figure 7. The design as submitted is accordingly considered to be appropriate in this regard.</p>
<p><b>13.5 Laneways</b></p> <p><b>Development controls</b></p> <p><b>D1</b> Redevelopment within the Auburn Town Centre shall make provision for the creation of new laneways as shown in Figure 8.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>No laneway is shown be required to be provide to service the site as per figure 8. Accordingly the development is considered to be acceptable in this regard.</p>

**DCP 2010 Residential Flat Buildings**

The relevant objectives and requirements of the DCP 2010 Residential Flat Buildings have been considered in the following assessment table:

Requirement	Yes	No	N/A	Comments
<b>1.0 Introduction</b>				
<p><b>1.1 Development to which this Part applies</b></p> <p>This part applies to residential flat building development. It does not apply to Newington and Wentworth Point (formerly Homebush Bay West) areas. Please refer to the Newington Parts of this DCP or the Wentworth Point DCPs listed in Section 1.6 of the Introduction Part of this DCP.</p>				<p>The development site is not located in the Wentworth Point locality.</p>
<p><b>1.2 Purpose of this Part</b></p> <p>The purpose of this Part is to ensure residential flat buildings:</p> <ul style="list-style-type: none"> <li>• are pleasant to live in and create enjoyable urban places;</li> <li>• maintain a high level of amenity;</li> <li>• contribute to the overall street locality;</li> <li>• minimise the impact on the environment; and</li> <li>• optimise use of the land.</li> </ul>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>The development is considered to be generally in compliance with this part.</p>
<b>2.0 Built Form</b>				
<ul style="list-style-type: none"> <li>• Objectives</li> </ul>				

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<ul style="list-style-type: none"> <li>• To ensure that all development contributes to the improvement of the character of the locality in which it is located.</li> <li>• To ensure that development is sensitive to the landscape setting and environmental conditions of the locality.</li> <li>• To ensure that the appearance of development is of high visual quality and enhances and addresses the street.</li> <li>• To ensure that the proposed development protects the amenity of adjoining and adjacent properties.</li> <li>• To ensure that the form, scale and height of the proposed development responds appropriately to site characteristics and locality.</li> <li>• To ensure that development relates well to surrounding developments.</li> <li>• To ensure that development maximises sustainable living.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The development will establish the desired future character of the locality in accordance with the zoning and objectives of the zone.</p> <p>The development is considered to perform well with regard to landscape setting and the environment due to the significant deep soil area and energy efficiency measures proposed for the development.</p> <p>The design of the development is considered to be of high quality which will set an acceptable benchmark for mixed use development in the locality.</p> <p>The proposal is considered to have respected the amenity of adjoining developments despite the increase in scale.</p> <p>The development will establish the desired future character.</p> <p>The development incorporated numerous sustainable features, the development is acceptable in this regard.</p>
<p><b>2.1 Site area</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> The site area of a proposed development is of sufficient size to accommodate residential flat buildings.</p> <p><b>Development controls</b></p> <p><b>D1</b> A residential flat building development shall have a minimum site area of 1000m<sup>2</sup> and an average minimum width of 24m.</p> <p><b>D2</b> Where lots are deep and have narrow street frontages the capacity for maximising residential development is limited. Two or more sites may need to be amalgamated to provide a combined site with sufficient width for good building design.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The development site is considered to be of acceptable size and dimensions with a site area of 1705 sqm and frontage of 41.48 metres. The development is acceptable in this regard.</p>
<p><b>2.2 Site coverage</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> Adequate areas for landscaping, open space and spatial separation is provided between buildings.</p> <p><b>Development controls</b></p> <p><b>D1</b> The built upon area shall not exceed 50% of the total site area.</p> <p><b>D2</b> The non-built upon area shall be landscaped</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>The site coverage will exceed 50% of the site however the development is for a mixed use development. Notwithstanding this, the development will provide for a significant deep soil / communal outdoor landscaping space approximately 31.45 of the site area whilst still providing for and basement garage, public domain interface, access driveway and</b></p>

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<p>and consolidated into one communal open space and a series of courtyards.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>commercial space. The development is acceptable in this regard. (It is noted that the deep soil zone and communal open space requirements of SEPP 65 are satisfied by the development).</b></p>
<p><b>2.3 Building envelope</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> The height, bulk and scale of a residential flat building development is compatible with neighbouring development and the locality. Residential flat buildings:</p> <ul style="list-style-type: none"> <li>• addresses both streets on corner sites;</li> <li>• align with the street and/or proposed new streets;</li> <li>• are located across the site; and</li> <li>• form an L shape or a T shape where there is a wing at the rear.</li> </ul> <p><b>Note:</b> The development control diagrams in section 10.0 illustrate building envelope controls.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposal will establish the desired future character of the area in accordance with the zone objectives.</p> <p>The proposal aligns with the street and is not located on a corner allotment nor requires a laneway to meet its service needs.</p> <p>The building envelope as proposed is acceptable in this regard.</p>
<p><b>Development controls</b></p> <p>Council may consider a site specific building envelope for certain sites, including:</p> <ul style="list-style-type: none"> <li>■ corner sites;</li> <li>■ double frontage sites;</li> <li>■ sites facing parks;</li> <li>■ sites adjoining higher density zones; and</li> <li>■ isolated sites.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>A site specific building envelope is not considered to be necessary in this instance.</p>
<p><b>2.4 Setbacks</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> Impact on the streetscape is minimised by creating a sense of openness, providing opportunities for landscaping and semi-private areas, and providing visual continuity and building pattern.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The street setback is considered to be appropriate in this instance.</p>
<p><b>Development controls</b></p> <p><b>2.4.1 Front setback</b></p> <p><b>D1</b> The minimum front setback shall be between 4 to 6m (except for residential flat development in the B1, B2 and B4 zones).</p> <p><b>D2</b> Where a site has frontage to a lane,</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Notwithstanding that the development is located in a B4 Mixed use zone, a 4 metre setback to the commercial tenancies is proposed and is considered appropriate in this instance given that</p>

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	the minimum setback shall be 2m, however, this will vary depending on the width of the lane.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	the development is located on the fringe of the B4 zone and is considered to be a better design outcome with regard to the adjacent zone potential development.
<b>D3</b>	Where a new building is located on a corner, the main frontage shall be determined on the existing streetscape patterns. Where the elevation is determined as the 'secondary' frontage, the setback may be reduced to 3m except where it relates to a primary frontage on that street.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a corner site.
<b>D4</b>	Setbacks from the street shall ensure that the distance between the front of one building to the front of the building on the opposite side of the street is a minimum of 10m for three (3) storey buildings. For example, 2m front setbacks and a 6m wide laneway where that laneway is a shareway. Where a footpath is to be incorporated a greater setback shall be required.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The site is not a dedicated Residential flat building site. Compliance is achieved in any case.
<b>D5</b>	All walls shall be articulated by bay windows, verandahs, balconies and/or blade walls. Such articulation elements may be forward of the required building line up to 600mm.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The front facade of the development is considered to be well articulated.
<b>2.4.2 Side setback</b>					
<b>D1</b>	Where the external walls have no windows or only windows to bathrooms/laundries, these shall be setback at least 3m from a side boundary. Where there are no windows in the wall to living rooms the setback from the side boundary shall be at least 3m.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A minimum of three metre setback has been provided to both side boundaries of the proposal. The issue of setbacks has been extensively discussed previously in the report and is considered acceptable in this regard.
<b>D2</b>	Eaves may extend a distance of 700mm from the wall.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Satisfactory side wall alcove articulation is provided being satisfactory for a commercial context.
<b>D3</b>	If the depth of the building is greater than 12m, a courtyard space that is at least 3m from the side boundary and a minimum 3m deep shall be included on the side wall, generally mid-way along the length of the wall.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>2.4.3 Rear setback</b>					
<b>D1</b>	Rear setbacks shall be a minimum of 10m.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	An 11 metre rear setback is provided.
<b>D2</b>	Where there is a frontage to a street and a rear laneway the setback to the rear laneway shall be a minimum of 2m.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	



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<p><b>D3</b> Where a building is an L or T shape with the windows facing side courtyards the rear setback shall be a minimum of 2m.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>2.4.4 Haslam's creek setback</b></p> <p><b>D1</b> A minimum 10m setback from the top of the creek bank of Haslam's Creek and its tributaries shall be required. Refer to the Stormwater Drainage Part of this DCP for additional controls.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The development site is not in near vicinity of Haslam's Creek.</p>
<p><b>2.4.5 Setbacks at Olympic Drive, Lidcombe</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> Sites with frontage to Olympic Drive, Lidcombe, address this road and provide an appropriately landscaped setback.</p> <p><b>P2</b> East-west streets maintain view corridors to Wyatt Park.</p> <p><b>Development controls</b></p> <p><b>D1</b> For sites with frontage to Olympic Drive, buildings shall be designed to address Olympic Drive and provide a setback of 6m.</p> <p><b>D2</b> The setback area and verge shall be landscaped and planted with a double row of street trees.</p> <p><b>D3</b> The setback to east-west streets shall be generally 4 to 6m and ensure view corridors to Wyatt Park are maintained.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The development is not located on Olympic Drive. This section of the DCP is not applicable.</p>
<p><b>2.5 Building depth</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> A high level of amenity is provided for residents.</p> <p><b>Development controls</b></p> <p><b>D1</b> The maximum depth of a residential flat building shall be 18m excluding balconies.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposal is considered to deliver a high level of amenity to the residents of the building. This is due to the high level of solar access and substantial proportion of cross ventilated units.</p> <p><b>A minor variation is proposed, with the building exceeding 20m in some areas. Notwithstanding this, the building would provide a high level of amenity for future residents and this minor standard variation is considered worthy of support in his instance. Refer also to SEPP 65 discussions above in this matter.</b></p>
<p><b>2.6 Number of storeys</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> The number of storeys is achievable</p>				<p>Development is for a mixed use building. The development standard for building height under the ALEP 2010 is 27</p>

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<p>within the maximum building height in <i>Auburn LEP 2010</i>.</p> <p><b>Development controls</b></p> <p><b>D1</b> Residential flat buildings shall be a maximum four (4) storeys above ground level (existing), except where basement car parking allows for natural ventilation up to less than 1m above ground level.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>metres. The local Centres section of the DCP stipulate that the maximum number of stories for the building is to be 6 storeys however the applicant has achieved a 9 storey building without unreasonably exceeding the development standards. See the Assessment provided under the ALEP 2010 Clause 4.3 and Local Centre DCP Number of Storey's. The development is considered acceptable in this regard.</p>
<p><b>2.7 Floor to ceiling heights</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> Floor to ceiling heights provide well proportioned rooms and spaces to allow for light and ventilation into the built form.</p> <p><b>Development controls</b></p> <p><b>D1</b> The minimum floor to ceiling height shall be 2.7m. This does not apply to mezzanines.</p> <p><b>D2</b> Where there is a mezzanine configuration, the floor to ceiling height may be varied.</p> <p><b>D3</b> When located near business areas, a floor to ceiling height of 3 to 3.3m for the ground and first floor shall be provided.</p> <p><b>D4</b> When located within business areas, a floor to ceiling height of 3.3m for the ground and first floor shall be provided.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>2.9 metres Floor to floor height is provided (effectively 2.7 floor to ceiling minus slab width). Development is acceptable in this regard.</p> <p>No mezzanine space proposed.</p> <p><b>Ground floor height of commercial space is 3.5 metres. The first floor will be 2.7 metres however the 2.7 proposed for the first floor is considered acceptable given the residential only use of the floor. The development is acceptable in this regard.</b></p>
<p><b>2.8 Floor to ceiling heights</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> Window heights allow for light penetration into rooms and well proportioned elevations.</p> <p><b>Development controls</b></p> <p><b>D1</b> The head height of windows and the proportion of windows shall relate to the floor to ceiling heights of the dwelling.</p> <p><b>D2</b> For storeys with a floor to ceiling height of 2.7 metres, the minimum head height of windows shall be 2.4 metres.</p> <p><b>D3</b> For storeys with a floor to ceiling</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Window head heights are a minimum of 2.4 metres from floor level. The development is acceptable in this regard.</p>

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<p>height of 3 metres, the minimum head height of windows shall be 2.7 metres.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>2.9 Heritage</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> Development does not adversely affect the heritage significance of heritage items and heritage groups and archaeological sites as well as their settings, distinctive streetscape, landscape and architectural styles.</p> <p><b>Development controls</b></p> <p><b>D1</b> All development adjacent to and/or adjoining a heritage item shall be:</p> <ul style="list-style-type: none"> <li>• responsive in terms of the curtilage and design;</li> <li>• accompanied by a Heritage Impact Statement; and</li> <li>• respectful of the building's heritage significance in terms of the form, massing, roof shapes, pitch, height and setbacks.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The development site is not an identified heritage item nor is the site directly adjacent to any identified heritage items.</p> <p>For the assessment relating to the development site being in vicinity of a development site see the clause 5.10 of the ALEP 2010 assessment elsewhere in this report. The development is however, acceptable with regard to heritage requirements.</p>
<p><b>2.10 Building design</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> Building design, detailing and finishes provide an appropriate scale to the street and add visual interest.</p> <p><b>Development controls</b></p> <p><b>2.10.1 Materials</b></p> <p><b>D1</b> All developments shall be constructed from durable, quality materials. As a guide, preference shall be given to bricks that are smooth faced and in mid to dark tones.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>No objection is raised to the materials and colour scheme of the proposal which is considered to be of high quality and will make a positive contribution to the streetscape.</p>
<p><b>2.10.2 Building articulation</b></p> <p><b>D1</b> Windows and doors in all facades shall be provided in a balanced manner and respond to the orientation and internal uses.</p> <p><b>D2</b> Dwelling entrances shall create a sense of individuality and act as a transitional space between private and communal spaces.</p> <p><b>D3</b> Elevations shall provide for variation and depth rather than relying on front façade treatment only. Varied massing projections and recesses shall be used to create a sense of articulation and depth.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposal offers an articulated facade with distinct horizontal and vertical elements.</p> <p>At ground level the residential entrance lobbies are integrated with the commercial facade however they are not the dominate elements. The development is considered acceptable in this regard.</p> <p>The facade provides recessed elements on every facade of the building.</p>
<p><b>2.10.3 Roof form</b></p>				

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<p><b>D1</b> Roof forms shall be designed in a way that the total form does not add to height and bulk of the building.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Flat roof and low horizontal parapet proposed. The roof form is in accordance with this clause.</p>
<p><b>2.10.4 Balustrades and balconies</b></p>				
<p><b>D1</b> Balustrades and balconies shall allow for views from the interior. Accordingly, balustrades shall be partly transparent and partly solid.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Semi recessed glass balustrades proposed except on the first storey street elevation to assist in maintaining privacy.</p>
<p><b>D2</b> The design of the underside of the balcony shall take into consideration the view of the underside from the street and shall avoid having exposed pipes and utilities.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>2.11 Dwelling size</b></p>				
<p><b>Performance criteria</b></p>				
<p><b>P1</b> Internal dwelling sizes and shapes are suitable for a range of household types.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>All units within the development meet the Residential flat building minimum dwelling size. The layout is suitable to accommodate a variety of furniture layouts. The development is acceptable in this regard.</p>
<p><b>P2</b> All rooms are adequate in dimension and accommodate their intended use.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>Development controls</b></p>				
<p><b>D1</b> The size of the dwelling shall determine the maximum number of bedrooms permitted.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Smallest 1 bedroom unit size (corner non single aspect) = 60 sqm. Smallest 2 bedroom unit size (no cross over units proposed) = 81 sqm. Smallest 3 bedroom unit size = 116 sqm.</p>
<p><b>Number of bedrooms                      Dwelling size</b></p>				
<p>Studio</p>	<p>50m<sup>2</sup></p>			
<p>1 bedroom (cross through)</p>	<p>50m<sup>2</sup></p>			
<p>1 bedroom (mansionette)</p>	<p>62m<sup>2</sup></p>			
<p>1 bedroom (single aspect)</p>	<p>63m<sup>2</sup></p>			
<p>2 bedrooms (corner)</p>	<p>80m<sup>2</sup></p>			
<p>2 bedrooms (cross through or over)</p>	<p>90m<sup>2</sup></p>			
<p>3 bedrooms</p>	<p>115m<sup>2</sup></p>			
<p>4 bedrooms</p>	<p>130m<sup>2</sup></p>			
<p><b>D2</b> At least one living area shall be spacious and connect to private outdoor areas.</p>				<p>All balconies are accessible from the living rooms of every unit.</p>
<p><b>2.12 Apartment mix and flexibility</b></p>				
<p><b>Performance criteria</b></p>				
<p><b>P1</b> A diversity of apartment types are provided, which cater for different household requirements now and in the future.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The residential component of the building will offer a variety of unit types of differing sizes and bedrooms.</p>
<p><b>P2</b> Housing designs meet the broadest range of the occupants' needs possible.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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<b>D1</b>	<p>A variety of apartment types between studio, one, two, three and three plus-bedroom apartments shall be provided, particularly in large apartment buildings.</p> <p>Variety may not be possible in smaller buildings, for example, up to six units.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The development has the following bedroom mix:-</p> <p>1 bedroom – 6 units (8.3%) 2 bedroom – 91 units (77.4%) 3 bedroom – 6 units (8.3%)</p>
<b>D2</b>	<p>The appropriate apartment mix for a location shall be refined by:</p> <ul style="list-style-type: none"> <li>■ considering population trends in the future as well as present market demands; and</li> <li>■ noting the apartment's location in relation to public transport, public facilities, employment areas, schools and universities and retail centres.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The building is considered to offer an appropriate unit mix.</p> <p>The development has the benefit of being within practical accessible distance to public transport.</p>
<b>D3</b>	<p>A mix of one (1) and three (3) bedroom apartments shall be located on the ground level where accessibility is more easily achieved for disabled, elderly people or families with children.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Ground floor is dedicated to commercial tenancies in accordance with the mixed use zoning. The development is acceptable in this regard.</p>
<b>D4</b>	<p>The number of accessible and adaptable apartments to cater for a wider range of occupants shall be optimised.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The building is fully visitable due to the lift access. The development is also potentially fully adaptable.</p>
<b>D5</b>	<p>The possibility of flexible apartment configurations, which support future change to optimise the building layout and to provide northern sunlight access for all apartments, shall be considered.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The units are considered to be sufficiently flexible due to the apartment sizes.</p>
<b>D6</b>	<p>Robust building configurations which utilise multiple entries and circulation cores shall be provided especially in larger buildings over 15m long.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>For a single tower built for the development offers 2 lift cores. The development is acceptable in this regard.</p>
<b>D7</b>	<p>Apartment layouts which accommodate the changing use of rooms shall be provided.</p> <p>Design solutions may include:</p> <ul style="list-style-type: none"> <li>■ windows in all habitable rooms and to the maximum number of non-habitable rooms;</li> <li>■ adequate room sizes or open-plan apartments, which provide a variety of furniture layout opportunities; and</li> <li>■ dual master bedroom</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>All units bedroom and living rooms are windowed.</p> <p>Unit floor sizes are considered to be of sufficient size to provide flexible furniture layouts.</p>

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<p>apartments, which can support two independent adults living together or a live/work situation.</p> <p><b>D8</b> Structural systems that support a degree of future change in building use or configuration shall be used. Design solutions may include:</p> <ul style="list-style-type: none"> <li>■ a structural grid, which accommodates car parking dimensions, retail, commercial and residential uses vertically throughout the building;</li> <li>■ the alignment of structural walls, columns and services cores between floor levels;</li> <li>■ the minimisation of internal structural walls;</li> <li>■ higher floor to ceiling dimensions on the ground floor and possibly the first floor; and</li> <li>■ knock-out panels between apartments to allow two adjacent apartments to be amalgamated.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The units are considered to be acceptable that alternative solutions are not required in this instance.</p>
<p><b>3.0 Open space and landscaping</b></p>				
<p><b>Objectives</b></p> <p>a. To provide sufficient and accessible open space for the recreation needs of the likely residents of the proposed dwelling.</p> <p>b. To provide private open areas that relate well to the living areas of dwellings.</p> <p>c. To enhance the appearance and amenity of residential flat buildings through integrated landscape design.</p> <p>d. To provide for the preservation of existing trees and other natural features on the site, where appropriate.</p> <p>e. To provide low maintenance communal open space areas.</p> <p>f. To provide adequate opportunities for water infiltration and tall trees to grow and to spread, so as to create a canopy effect.</p> <p>g. To conserve and enhance street tree planting.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A deep soil zone of 535.84 or 31.4% of the site is proposed for the development. The width of the deep soil zone allows for the planting of medium to large trees. The development is acceptable in this regard.</p> <p>The outdoor space provided at the rear (northern) side of the building provides:</p> <ul style="list-style-type: none"> <li>• quality outdoor space for the residents,</li> <li>• significant large tree plantings,</li> <li>• Stormwater runoff absorption</li> <li>• Tangible improvement to the immediate microclimate and air quality of the site</li> <li>• Provides an opportunity to contribute to biodiversity.</li> </ul> <p>In addition to this space, each apartment has a private balcony orientated towards Mary Street or the communal open space at the rear of the site.</p> <p>Existing street trees to be retained as a result of the proposal.</p>

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<b>3.1</b>	<b>Development application requirements</b>  <p>A landscape plan shall be submitted with all development applications for residential flat buildings.</p> <p>The landscape plan should specify landscape themes, vegetation (location and species), paving and lighting that provide a safe, attractive and functional environment for residents, integrates the development with the neighbourhood and contributes to energy efficiency and water management.</p> <p>A landscape plan prepared by a professionally qualified landscape architect or designer shall be submitted with the development application which shows:</p> <ul style="list-style-type: none"> <li>■ proposed site contours and reduced levels at embankments, retaining walls and other critical locations;</li> <li>■ existing vegetation and the proposed planting and landscaping (including proposed species);</li> <li>■ general arrangement of hard landscaping elements on and adjoining the site;</li> <li>■ location of communal facilities;</li> <li>■ proposed lighting arrangements;</li> <li>■ proposed maintenance and irrigation systems; and</li> <li>■ proposed street tree planting.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A suitable landscaping plan prepared by Pafburn P/L which details species, quantity required, height and spread, planting depth detail, etc has been submitted.</p> <p>The submitted landscaping plan is acceptable in this regard.</p>
<b>3.2</b>	<b>Landscaping</b>  <b>Performance criteria</b>  <b>P1</b> Paving may be used to: <ul style="list-style-type: none"> <li>■ ensure access for people with limited mobility;</li> <li>■ add visual interest and variety;</li> <li>■ differentiate the access driveway from the public street; and</li> <li>■ encourage shared use of access driveways between pedestrians, cyclists and vehicles.</li> </ul> <b>Development controls</b>  <b>D1</b> If an area is to be paved, consideration shall be given to selecting materials that will reduce glare and minimise surface run-off.  <b>D2</b> All landscaped podium areas shall maintain a minimum soil planting	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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depth of 600mm for tree provision and 300mm for turf provision.				
<p><b>3.3 Deep soil zone</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> A deep soil zone allows adequate opportunities for tall trees to grow and spread.</p> <p><b>Note:</b> Refer to the development control diagrams in section 10.0.</p> <p><b>Development controls</b></p> <p><b>D1</b> A minimum of 30% of the site area shall be a deep soil zone.</p> <p><b>D2</b> The majority of the deep soil zone shall be provided as a consolidated area at the rear of the building.</p> <p><b>D3</b> Deep soil zones shall have minimum dimensions of 5m.</p> <p><b>D4</b> Deep soil zones shall not include any impervious (hard) surfaces such as paving or concrete.</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>A deep soil zone of 535.84 or 31.4% of the site is proposed for the development. The width of the deep soil zone allows for the planting of medium to large trees. The development is acceptable in this regard.</p> <p>The primary landscaping space is located on the northern side of the proposed building. The space allows for the planting of large trees to realise biodiversity, shading and microclimate objectives. The trees also make a contribution to the improvement in the privacy situation to the surrounding buildings.</p> <p>A 10.165 metre setback for the northern boundary to the basement provides for the deeps soil zone.</p> <p>The communal open space at the rear of the property is enhanced via the provision of stepping pavers, new landscaping and bench seats. This is considered to be an acceptable outcome given that the site is for a mix use development and not a dedicated residential flat building.</p>
<p><b>3.4 Landscape setting</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> Development does not unreasonably intrude upon the natural landscape, particularly on visually prominent sites or sites which contribute to the public domain.</p> <p><b>P2</b> Residential flat buildings are adequately designed to reduce the bulk and scale of the development.</p> <p><b>P3</b> Landscaping assists with the integration of the site into the streetscape.</p> <p><b>Development controls</b></p> <p><b>D1</b> Development on steeply sloping sites shall be stepped to minimise cut and fill.</p> <p><b>D2</b> Existing significant trees shall be retained within the development.</p> <p><b>D3</b> Applicants shall demonstrate that the development will not impact</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>All street interface landscaping is appropriately located within the site and not on public street but will make a significant visual improvement to the public domain adjoining the site.</p> <p>The proposed building introduces stepping as well and horizontal and vertical elements to achieve this, the development is acceptable in this regard.</p> <p>The development site is not steeply sloping</p> <p>All significant trees as existing within the site are located towards the front elevation and need to be removed to facilitate the basement of the</p>



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<p>adversely upon any adjoining public reserve or bushland.</p> <p><b>D4</b> Residential flat buildings shall address and align with any public open space and/or bushland on their boundary.</p> <p><b>D5</b> All podium areas and communal open space areas, which are planted, shall be provided with a water efficient irrigation system.</p>	<input type="checkbox"/>  <input checked="" type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>	<input checked="" type="checkbox"/>  <input type="checkbox"/>	<p>development. Substantial trees are however proposed in replacement and the rear deep soil area will be capable of supporting the large eucalypt species proposed in the rear yard. The development is acceptable in this regard.</p> <p>There is no adjoining bushland or public reserves.</p> <p>A water tank is proposed and to be utilised to support landscaping on site.</p>
<p><b>3.5 Private open space</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> Private open space is clearly defined and screened for private use.</p> <p><b>P2</b> Private open space:</p> <ul style="list-style-type: none"> <li>■ takes advantage of available outlooks or views and natural features of the site;</li> <li>■ reduces adverse impacts of adjacent buildings on privacy and overshadowing; and</li> <li>■ resolves surveillance, privacy and security issues when private open space abuts public open space.</li> </ul> <p><b>Development controls</b></p> <p><b>D1</b> Private open space shall be provided for each dwelling in the form of a balcony, roof terrace or, for dwellings on the ground floor, a courtyard.</p> <p><b>D2</b> Dwellings on the ground floor shall be provided with a courtyard that has a minimum area of 9m<sup>2</sup> and a minimum dimension of 2.5m.</p> <p><b>D3</b> Dwellings located above ground level shall be provided with a balcony or roof terrace that has a minimum area of 8m<sup>2</sup> and a minimum dimension of 2m.</p> <p><b>D4</b> Balconies may be semi enclosed with louvres and screens.</p> <p><b>D5</b> Private open space shall have convenient access from the main living area.</p> <p><b>D6</b> Part of the private open space shall</p>	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<p>The proposed development is considered to be consistent with the Balconies objectives as all apartments are provided with suitably sized private open spaces which integrate with the overall architectural form of the building and provide casual overlooking of communal and public areas.</p> <p>All apartments have at least one balcony. Access is provided directly from living areas and where possible, secondary access is provided from primary bedrooms.</p> <p>There are no ground floor units proposed.</p> <p>All apartments have a balcony with a minimum depth of 2 metres and exceeds a total of 8 sqm.</p> <p>The design utilises these features.</p>

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<p>be capable of serving as an extension of the dwelling for relaxation, dining, recreation, entertainment and children's play.</p> <p><b>D7</b> Additional small, screened service balconies may be provided for external clothes drying areas and storage.</p> <p><b>D8</b> Private open space and balconies shall take advantage of mid to long distance views where privacy impacts will not arise.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The balconies have been orientated to either address Mary Street and promote an active frontage or face the north (rear) of the site where there will be the best outlook from the site and minimal privacy impact (acoustic privacy and overlooking into adjoining sites). The development is considered dot be acceptable in this regard.</p>
<p><b>3.6 Communal open space</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> The site layout provides communal open spaces which:</p> <ul style="list-style-type: none"> <li>■ contribute to the character of the development;</li> <li>■ provide for a range of uses and activities;</li> <li>■ allows cost-effective maintenance; and</li> <li>■ contributes to stormwater management.</li> </ul> <p><b>Development controls</b></p> <p><b>D1</b> Communal open space shall be useable, have a northern aspect and contain a reasonable proportion of unbuilt upon (landscaped) area and paved recreation area.</p> <p><b>D2</b> The communal open space area shall have minimum dimensions of 10m.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A communal open space and deep soil zone of 535.84 or 31.4% of the site is proposed for the development. the width of the deep soil zone allows for the planting of medium to large trees.</p> <p>The outdoor space provided at the rear (northern) side of the building provides:</p> <ul style="list-style-type: none"> <li>• quality outdoor space for the residents,</li> <li>• significant large tree plantings,</li> <li>• Stormwater runoff absorption</li> <li>• Tangible improvement to the immediate microclimate and air quality of the site</li> <li>• Provides an opportunity to contribute to biodiversity.</li> </ul> <p>The proposed basement does not occupy the entirety of the site. A 10.165 metre setback for the northern boundary to the basement provides for the deeps soil communal open space zone.</p> <p>The development is acceptable in this regard.</p>
<p><b>3.7 Protection of existing trees</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> Major existing trees are retained where practicable through appropriate siting of buildings, access driveways and parking areas and appropriate landscaping.</p> <p><b>Development controls</b></p> <p><b>D1</b> Building structures or disturbance to existing ground levels shall not be within the drip line of existing</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>All significant trees as existing within the site are located towards the front elevation and need to be removed to facilitate the basement of the development. Substantial trees are however proposed in replacement and the rear deep soil area will be capable of supporting the large eucalypt species proposed in the rear yard. The development is acceptable in this regard.</p>

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<p>significant trees to be retained.</p> <p><b>Note:</b> For additional requirements, applicants shall refer to the Tree Preservation Part of this DCP.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>3.8 Biodiversity</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> Existing and native flora at canopy and understorey levels is preserved and protected.</p> <p><b>P2</b> Plantings are a mix of native and exotic water-wise plant species.</p> <p><b>Development controls</b></p> <p><b>D1</b> The planting of indigenous species shall be encouraged.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>An appropriate mix of species is proposed in the landscaping design.</p> <p>Substantial trees are however proposed in replacement and the rear deep soil area will be capable of supporting the large eucalypt species proposed in the rear yard. The development is acceptable in this regard.</p>
<p><b>3.9 Street trees</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> Existing street landscaping is maintained and where possible enhanced.</p> <p><b>Development controls</b></p> <p><b>D1</b> Driveways and services shall be located to preserve existing significant trees.</p> <p><b>D2</b> Additional street trees shall be planted at an average spacing of 1 per 10 lineal metres of street frontage.</p> <p><b>Note:</b> Where a site has more than one street frontage, street tree planting shall be applied to all street frontages, excluding frontage to laneways.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>All existing street trees are being maintained in the proposal. The proposed driveways will not interfere with the existing street trees.</p>
<p><b>4.0 Access and car parking</b></p>				
<p><b>Objectives</b></p> <p><b>4.1 Access and car parking requirements</b></p> <p><b>Note:</b> Applicants shall consult the Parking and Loading Part of this DCP.</p> <p><b>4.2 Basements</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> Basements allow for areas of deep soil planting.</p> <p><b>Development controls</b></p> <p><b>D1</b> Where possible, basement walls</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The building as proposed provides sufficient onsite parking to service the need of the development in accordance with the needs of the Parking and Loading section of the DCP.</p> <p>The proposal allows for a deep soil zone separate to the basement as proposed.</p>

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<p>shall be located directly under building walls.</p> <p><b>D2</b> A dilapidation report shall be prepared for all development that is adjacent to sites which build to the boundary.</p> <p><b>D3</b> Basement walls not located on the side boundary shall have minimum setback of 1.2m from the side boundary to allow planting.</p> <p><b>D4</b> Basement walls visible above ground level shall be appropriately finished (such as face brickwork and/or render) and appear as part of the building.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The basement has been contained under the building as proposed.</p> <p>This requirement is a standard requirement for all construction involving the excavation for significant basements.</p> <p>Being a mixed use development, the basement can be provided to the boundary. Notwithstanding this, a significant deep soil, landscaping area and landscaping down the western side of the building is proposed. The development is acceptable in this regard.</p> <p>A portion of the basement protrudes above the natural ground level at the street elevation of the site however is effectively camouflaged via the proposed planter boxes stairs etc. The development is acceptable in this regard.</p>
<p><b>5.0 Privacy and security</b></p>				
<p><b>Objectives</b></p> <p>a. To ensure the siting and design of buildings provide visual and acoustic privacy for residents and neighbours in their dwellings and private open spaces.</p> <p>b. To provide personal and property security for residents and visitors and enhance perceptions of community safety.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>5.1 Privacy</b></p>				
<p><b>Performance criteria</b></p> <p><b>P1</b> Private open spaces and living areas of adjacent dwellings are protected from overlooking.</p> <p><b>Development controls</b></p> <p><b>D1</b> Buildings shall be designed to form large external courtyards with a minimum distance of 10 to 12m between opposite windows of habitable rooms.</p> <p><b>D2</b> Windows to living rooms and main bedrooms shall be oriented to the street and to the rear, or to the side when buildings form an 'L' or 'T' shape.</p> <p><b>D3</b> Site layout and building design shall ensure that windows do not provide direct and close views into windows,</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Being the first development of its kind in the locality there is no privacy issues which will arise to adjoining existing development. The development has been designed to consider future potential development adjoining the site by orientating the units to face either the street or rear of the site. The side of the development consists principally of service rooms (bathrooms and toilets) and secondary bedrooms.</p> <p>The balconies have been orientated to either address Mary Street and promote</p>

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<p>balconies or private open spaces of adjoining dwellings.</p> <p><b>D4</b> Views onto adjoining private open space shall be obscured by:</p> <ul style="list-style-type: none"> <li>■ Screening that has a maximum area of 25% openings, shall be permanently fixed and made of durable materials; or</li> <li>■ Existing dense vegetation or new planting.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>an active frontage or face the north (rear) of the site where there will be the best outlook from the site and minimal privacy impact (acoustic privacy and overlooking into adjoining sites).</p> <p>Notwithstanding this, privacy screen have been proposed to minimise direct side (east or west) views and significant new trees in the rear deep soil landscaping area have been proposed to contribute to further long term privacy control.</p> <p>The development is considered to be acceptable in this regard.</p>
<p><b>5.2 Noise</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> The transmission of noise between adjoining properties is minimised.</p> <p><b>P2</b> New dwellings are protected from existing and likely future noise sources from adjoining residential properties and other high noise sources (such as busy roads, railway corridors and industries) and the transmission of intrusive noise to adjoining residential properties is minimised.</p> <p><b>Development controls</b></p> <p><b>D1</b> For acoustic privacy, buildings shall:</p> <ul style="list-style-type: none"> <li>■ be designed to locate noise sensitive rooms and private open space away from the noise source or by use of solid barriers where dwellings are close to high noise sources;</li> <li>■ minimise transmission of sound through the building structure and in particular protect sleeping areas from noise intrusion; and</li> <li>■ all shared floors and walls between dwellings to be constructed in accordance with noise transmission and insulation requirements of the BCA.</li> </ul> <p><b>Note:</b> For development within or adjacent to a rail corridor, or major road corridor with an annual average daily traffic volume of more than 40,000 vehicles, applicants must consult <i>State Environmental Planning Policy (Infrastructure) 2007</i> and the NSW Department of Planning's <i>Development Near Rail Corridors and Busy Roads – Interim Guidelines, 2008</i>.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>All balconies with the development are orientated towards the Street or rear of the site.</p> <p>The development is not located in vicinity of any major arterial roads or railway lines. The provisions of this clause are not applicable to the development.</p> <p>Further passive design features to control noise are not considered necessary in this instance.</p>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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5.3 Security				
<p><b>Performance criteria</b></p>				
<p><b>P1</b> Site layout and design of the dwellings, including height of front fences and use of security lighting, minimises the potential for crime, vandalism and fear.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A crime safety report prepared by appropriately qualified professionals was submitted with the application stating that the development had been designed in accordance with the CPTED principles.</p>
<p><b>Note:</b> Consideration shall also be given to Council's Policy on Crime Prevention Through Environmental Design (CPTED).</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>Development controls</b></p>				
<p><b>D1</b> Shared pedestrian entries to buildings shall be lockable.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Pedestrian residential entry lobbies on the ground floor are separate and lockable.</p>
<p><b>D2</b> Buildings adjacent to streets or public spaces shall be designed to allow casual surveillance over the public area.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Casual surveillance to the street will be possible from the upper residential floors of the development.</p>
<p><b>D3</b> Ground floor apartments may have individual entries from the street.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>D4</b> Residential flat buildings adjoining a park or public open space shall be treated like a front entrance/garden for the length of the park. Refer to Figure 4 - Park frontage in section 10.0.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>5.4 Fences</b></p>				
<p><b>Performance controls</b></p>				
<p><b>P1</b> Front fences and walls maintain the streetscape character and are consistent with the scale of development.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Being a mixed use development there are no front fences specifically proposed.</p>
<p><b>Development controls</b></p>				
<p><b>D1</b> The front and side dividing fences, where located within the front yard area, shall not exceed 1.2m as measured above existing ground level and shall be a minimum of 50% transparent. Front and side dividing fences where located within the front yard area shall not be constructed of solid pre-coated metal type materials such as Colorbond™ or similar.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The building as proposed provides a 4 metre setback to the commercial tenancies with a defined transition area of stairs, landscaping, wheelchair access ramp and level changes. Being on the edge of the town centre the response is considered to be appropriate in this instance.</p>
<p><b>D2</b> All fences forward of the building alignment shall be treated in a similar way.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>D3</b> Solid pre-coated metal fences shall be discouraged and shall not be located forward of the front building</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

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<p>line.</p> <p><b>D4</b> Front fences shall satisfy the acoustic abatement criteria and be provided with a landscaped area on the street side of the fence.</p> <p><b>D5</b> Fences located on side or rear boundaries of the premises, behind the main building line shall not exceed a maximum height of 1.8m.</p>	<input type="checkbox"/>   <input checked="" type="checkbox"/>	<input type="checkbox"/>   <input type="checkbox"/>	<input checked="" type="checkbox"/>   <input type="checkbox"/>	
<b>6.0 Solar amenity and stormwater reuse</b>				
<b>Objectives</b>				
<p>a. To minimise overshadowing of adjoining residences and to achieve energy efficient housing in a passive solar design that provides residents with year round comfort and reduces energy consumption.</p> <p>b. To create comfortable living environments.</p> <p>c. To provide greater protection to the natural environment by reducing the amount of greenhouse gas emissions.</p> <p>d. To reduce the consumption of non-renewable energy sources for the purposes heating water, lighting and temperature control.</p> <p>e. To encourage installation of energy efficient appliances that minimise green house gas generation.</p>	<input checked="" type="checkbox"/>   <input checked="" type="checkbox"/>   <input checked="" type="checkbox"/>   <input checked="" type="checkbox"/>	<input type="checkbox"/>   <input type="checkbox"/>   <input type="checkbox"/>	<input type="checkbox"/>   <input type="checkbox"/>   <input type="checkbox"/>	<p>The solar access to the development and surrounding existing buildings complies with the requirements listed below.</p> <p>The site as existing has unrestricted northerly aspect. The communal open space of the site being located on the northern side of the building will also receive good solar amenity</p> <p>The development incorporates a suite of energy efficiency and water conservation measure and detailed in the submitted plans and BASIX certificate. The measures include:</p> <ul style="list-style-type: none"> <li>• Energy efficient lighting</li> <li>• Water saving fixtures</li> <li>• Appropriate floor and wall insulation measures</li> <li>• Use of shading devices over windows</li> <li>• Installed appliances to meet minimum efficiency targets</li> <li>• Instantaneous hot water system</li> <li>• Water reuse system</li> </ul>
<b>6.1 Solar amenity</b>				
<b>Performance criteria</b>				
<p><b>P1</b> Buildings are sited and designed to ensure daylight to living rooms in adjacent dwellings and neighbouring open space is not significantly decreased.</p> <p><b>P2</b> Buildings and private open space allow for the penetration of winter sun to ensure reasonable access to sunlight or daylight for living spaces within buildings and open space around buildings.</p> <p><b>Development controls</b></p>	<input checked="" type="checkbox"/>   <input checked="" type="checkbox"/>	<input type="checkbox"/>   <input type="checkbox"/>	<input type="checkbox"/>   <input type="checkbox"/>	<p>The siting of the building is such that surrounding buildings and private open space will receive adequate solar access either in the morning, daytime or afternoon depending on its positioning relative to the building.</p> <p>Apartment layouts are generally considered satisfactory in terms of orientating living areas and private open spaces to optimise solar access where possible. The primary communal outdoor space is located on the northern side of the building.</p>

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<b>D1</b>	<p>Solar collectors proposed as part of a new development shall have unimpeded solar access between 9:00am to 3:00pm on June 21.</p> <p>Solar collectors existing on the adjoining properties shall not have their solar access impeded between 9:00am to 3:00pm on June 21.</p> <p>Where adjoining properties do not have any solar collectors, a minimum of 3m<sup>2</sup> of north facing roof space of the adjoining dwelling shall retain unimpeded solar access between 9:00am to 3:00pm on June 21.</p> <p><b>Note:</b> Where the proposed development is located on an adjacent northern boundary this may not be possible.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>No solar collectors proposed as part of this development.</p> <p>No solar collectors are noted however any that may be proposed or installed will be able to receive at least three hours of solar access a day or all or a portion of their rooves in accordance with this control. The development is acceptable in this regard.</p>
<b>D2</b>	<p>Buildings shall be designed to ensure sunlight to at least 50% of the principal area of ground level private open space of adjoining properties for at least 3 hours between 9:00am and 3:00pm on June 21.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The siting of the building is such that surrounding buildings and private open space will receive adequate solar access either in the morning, daytime or afternoon depending on its positioning relative to the building.</p>
<b>D3</b>	<p>If the principal area of ground level private open space of adjoining properties does not currently receive at least this amount of sunlight, then the new building shall not further reduce solar access.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>D4</b>	<p>Habitable living room windows shall be located to face an outdoor space.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>All living rooms and balconies in the proposal are orientated towards the street or the rear of the site for maximum outlook and minimal privacy intrusion into adjoining sites.</p>
<b>D5</b>	<p>North-facing windows to living areas of neighbouring dwellings shall not have sunlight reduced to less than 3 hours between 9:00am and 3:00pm on June 21 over a portion of their surface.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D6</b>	<p>Where the proposed residential flat building is on an adjacent northern boundary or located within an area undergoing transition, compliance with D1, D2, D3 and D4 development controls may not be achievable.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>D7</b>	<p>Internal living areas and external recreation areas shall have a north orientation for the majority of units in the development, where possible.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>This has been achieved.</p>
<b>D8</b>	<p>The western walls of the residential</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



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<p>flat building shall be appropriately shaded.</p>				<p>Shading devices are shown over windows on the western elevation of the building.</p>
<p><b>6.2 Ventilation</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> The design of development is to utilise natural breezes for cooling and fresh air during summer and to avoid unfavourable winter winds.</p> <p><b>Development controls</b></p> <p><b>D1</b> Rooms with high fixed ventilation openings such as bathrooms and laundries shall be situated on the southern side to act as buffers to insulate the building from winter winds.</p> <p><b>D2</b> Apartments shall be designed to consider ventilation and dual aspect. This can be achieved with cross over apartments, cross through apartments, corner apartments and two (2) storey apartments. Single aspect apartments shall be kept to a minimum except for those that are north facing. Single aspect apartments shall be limited in depth to 8m from a window.</p> <p><b>D3</b> Where possible residential flat buildings shall be designed with bathrooms, laundries, and kitchens positioned on an external wall with a window to allow for natural ventilation of the room.</p>	<p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>The proposed development is considered to be consistent with the Natural Ventilation objectives as all habitable rooms, and where possible non-habitable rooms, have sufficient openings for ventilation.</p> <p>The building and unit layouts are designed to maximise natural ventilation through the use of open-plan living areas and generous openings to living areas and bedrooms.</p> <p>32 of the units or 60% has access to two or more wall orientation and can be considered to be naturally ventilated.</p> <p>Generally no bedroom or habitable part of any unit within the building will be further than 8 metres from a window.</p> <p>Generally the unit layouts are grouped to be bedrooms/bathrooms and living/kitchen/dining.</p> <p>The living rooms are adjacent to the balconies and generally promote natural ventilation.</p>
<p><b>6.3 Rainwater tanks</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> The development design reduces stormwater runoff.</p> <p><b>Development controls</b></p> <p><b>D1</b> Developments may have rain water tanks for the collection and reuse of stormwater for car washing and watering of landscaped areas.</p> <p><b>D2</b> Rainwater tanks shall be constructed, treated or finished in a non-reflective material which blends in with the overall tones and colours of the building and the surrounding developments.</p> <p><b>D3</b> The suitability of rainwater tanks</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>A 5000 Litre rainwater tank is proposed to be provided on the ground floor of the building adjacent to the western side boundary of the site.</p> <p>The tank is proposed to be located down</p>

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<p>erected within the side setback areas of development will be assessed on an individual case by case basis.</p> <p><b>D4</b> Rainwater tanks shall not be located within the front setback.</p> <p><b>D5</b> The overflow from the domestic rain water tank shall discharge to the site stormwater disposal system. For additional details refer to the Stormwater Drainage Part of this DCP.</p> <p><b>D6</b> The rain water tank shall comply with the applicable Australian Standards AS/NZ 2179 and AS 2180 for rainwater goods and installation.</p> <p><b>6.4 Stormwater drainage</b></p> <p>Applicants shall refer to the stormwater drainage requirements in the Stormwater Drainage Part of this DCP.</p>	<input checked="" type="checkbox"/>          <input checked="" type="checkbox"/>	<input type="checkbox"/>          <input type="checkbox"/>	<input type="checkbox"/>          <input type="checkbox"/>	<p>the side of the building and camouflaged with landscaping.</p> <p>The proposed tank location and treatments are acceptable in this instance.</p> <p>A condition can be imposed in this regard.</p>
<p><b>7.0 Ancillary site facilities</b></p>				
<p><b>Objectives</b></p> <p>a. To ensure that site facilities are effectively integrated into the development and are unobtrusive.</p> <p>b. To ensure site facilities are adequate, accessible to all residents and easy to maintain.</p> <p>c. To cater for the efficient use of public utilities including water supply, sewerage, power, telecommunications and gas services and for the delivery of postal and other services.</p>	<input checked="" type="checkbox"/>          <input checked="" type="checkbox"/>	<input type="checkbox"/>          <input type="checkbox"/>	<input type="checkbox"/>          <input type="checkbox"/>	<p>All service areas are located at the rear of the site and accessed via the driveway.</p> <p>A loading bay is provided at the rear of the site.</p>
<p><b>7.1 Clothes washing and drying</b></p>				
<p><b>Performance criteria</b></p> <p><b>P1</b> Adequate open-air clothes drying facilities which are easily accessible to all residents and screened, are provided.</p> <p><b>Development controls</b></p> <p><b>D1</b> Each dwelling shall be provided with individual laundry facilities located within the dwelling unit.</p> <p><b>D2</b> Open air clothes drying facilities shall be provided in a sunny, ventilated and convenient location which is adequately screened from streets and other public places,</p>	<input checked="" type="checkbox"/>          <input checked="" type="checkbox"/>	<input type="checkbox"/>          <input type="checkbox"/>	<input type="checkbox"/>          <input type="checkbox"/>	<p>The balconies are of sufficient size and appropriate masonry and privacy screens are provided so that any balcony clothes drying will not be readily apparent when viewing the building from the street.</p> <p>Each units has a laundry facility.</p>

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where possible.				
<b>7.2 Storage</b>				
<b>Performance criteria</b>				
<b>P1</b> Dwellings are provided with adequate storage areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Storage is provided within each unit in the form of built in wardrobes, kitchen cupboards and dedicated separate storage cupboards.
<b>Development controls</b>				
<b>D1</b> Storage space of 8m <sup>3</sup> per dwelling shall be provided. This space may form part of a garage or be a lockable unit at the side of the garage.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The plans do show that all units will have considerable internal storage space in the form of built in wardrobes and kitchen/ laundry cupboards. Further separate dedicated storage cupboards are also shown in approximately 40% of the units. The applicant has not however submitted specific calculation regarding the total amount of stage proposed for each apartment.
<b>D2</b> Storage space shall not impinge on the minimum area to be provided for parking spaces.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Notwithstanding this, the application can still be supported on the basis of the general amenity the units provide.
<b>7.3 Utility services</b>				
<b>Performance criteria</b>				
<b>P1</b> All proposed allotments are connected to appropriate public utility services including water, sewerage, power and telecommunications, in an orderly, efficient and economic manner.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The site is currently suitably serviced. Any augmentation required as a result of the proposal is to be undertaken at the developer's expense.
<b>Development controls</b>				
<b>D1</b> Where possible, services shall be underground.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>7.4 Other site facilities</b>				
<b>Performance criteria</b>				
<b>P1</b> Dwellings are supported by necessary utilities and services.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Development controls</b>				
<b>D1</b> A single TV/antenna shall be provided for each building.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This requirement can be conditioned if the proposal is recommended for approval.
<b>D2</b> A mailbox structure that meets the relevant Australia Postal Service requirements shall be provided, located centrally and close to the major street entry to the site. All letterboxes shall be lockable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	While mailboxes are not shown on the submitted plans, mailboxes can easily be provided outside of the residential lobbies. This requirement can be incorporated as a condition of consent.
<b>D3</b> Individual letterboxes can be provided where ground floor residential flat building units have direct access to the street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>7.5 Waste disposal</b>				An acceptable waste management plan

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<p>Applicants shall refer to the requirements held in the Waste Part of this DCP.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>dealing with the demolition, construction and ongoing waste phase of the development has been submitted for the application. The development is acceptable in this regard.</p>
<p><b>8.0 Subdivision</b></p>				
<p><b>Objectives</b></p>				
<p>a. To ensure that subdivision and new development is sympathetic to the landscape setting and established character of the locality.</p> <p>b. To provide allotments of sufficient size to satisfy user requirements and to facilitate development of the land at a density permissible within the zoning of the land having regard to site opportunities and constraints.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>No subdivision or consolidation is required as the subject development site is of sufficient size and dimensions to accommodate the proposed development.</p>
<p><b>8.1 Lot amalgamation</b></p>				
<p><b>Performance criteria</b></p>				
<p><b>P1</b> Lot amalgamations within development sites are undertaken to ensure better forms of housing development and design.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>Development controls</b></p>				
<p><b>D1</b> Development sites involving more than one lot shall be consolidated.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>D2</b> Plans of Consolidation shall be submitted to, and registered with, the office of the NSW Land and Property Management Authority. Proof of registration shall be produced prior to release of the Occupation Certificate.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>D3</b> Adjoining parcels of land not included in the development site shall be capable of being economically developed.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A plan is included which outlines potential development envelopes on adjoining sites. Adjoining site will not become isolated as a result of this proposal.</p>
<p><b>8.2 Subdivision</b></p>				
<p><b>Development controls</b></p>				
<p><b>D1</b> The community title or strata title subdivision of a residential flat building shall be in accordance with the approved development application plans, particularly in regard to the allocation of private open space, communal open space and car parking spaces.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The applicant has not nominated to undertake a strata or community title subdivision of the development.</p>
<p><b>D2</b> Proposed allotments, which contain existing buildings and development, shall comply with site coverage and other controls contained within this</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

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Part.					
<b>8.3</b>	<b>Creation of new streets</b>				
<b>Performance criteria</b>					
<b>P1</b>	On some sites, where appropriate, new streets are introduced.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No new streets are being proposed as part of the development. This clause is not applicable to the proposal.
<b>P2</b>	New proposed roads are designed to convey the primary residential functions of the street including:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	■ safe and efficient movement of vehicles and pedestrians;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	■ provision for parked vehicles;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	■ provision of landscaping;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	■ location, construction and maintenance of public utilities; and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	■ movement of service and delivery vehicles.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>Development controls</b>					
<b>D1</b>	Where a new street is to be created, the street shall be built to Council's standards and quality assurance requirements having regard to the circumstances of each proposal. Consideration shall be given to maintaining consistency and compatibility with the design of existing roads in the locality.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>D2</b>	A minimum width of 6m shall be provided for all carriageways on access roads. If parallel on-street parking is to be provided, an additional width of 2.5m is required per vehicle per side. For specific information detailing Council's road design specifications, refer to Table 1 – Development Standards for Road Widths in section 10.2.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>D3</b>	For larger self-contained new residential areas, specific road design requirements shall be considered for site specific development controls.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>9.0 Adaptable housing</b>					
<b>Objectives</b>					
<b>a.</b>	To ensure a sufficient proportion of dwellings include accessible layouts and features to accommodate changing requirements of residents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development is 100% visitable. All apartments are potentially adaptable for disabled persons.
<b>b.</b>	To encourage flexibility in design to allow people to adapt their home as their needs change due to age or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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disability.				
<p><b>9.1 Development application requirements</b></p> <p><b>Note:</b> Evidence of compliance with the Adaptable Housing Class C requirements of Australian Standard (AS) 4299 shall be submitted when lodging a development application to Council and certified by an experienced and qualified building professional.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal will be required to comply with all relevant Australian Standards with regard to disabled access.
<p><b>9.2 Design guidelines</b></p> <p><b>Performance criteria</b></p> <p><b>P1</b> Residential flat building developments allow for dwelling adaptation that meets the changing needs of people.</p> <p><b>Development controls</b></p> <p><b>D1</b> The required standard for Adaptable Housing is AS 4299. Wherever the site permits, developments shall include adaptive housing features into the design.</p> <p>External and internal considerations shall include:</p> <ul style="list-style-type: none"> <li>■ access from an adjoining road and footpath for people who use a wheel chair;</li> <li>■ doorways wide enough to provide unhindered access to a wheelchair;</li> <li>■ adequate circulation space in corridors and approaches to internal doorways;</li> <li>■ wheelchair access to bathroom and toilet;</li> <li>■ electrical circuits and lighting systems capable of producing adequate lighting for people with poor vision;</li> <li>■ avoiding physical barriers and obstacles;</li> <li>■ avoiding steps and steep end gradients;</li> <li>■ visual and tactile warning techniques;</li> <li>■ level or ramped well lit uncluttered approaches from pavement and parking areas;</li> <li>■ providing scope for ramp to AS 1428.1 at later stage, if necessary;</li> <li>■ providing easy to reach controls, taps, basins, sinks, cupboards, shelves, windows, fixtures and doors;</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Wheelchair access from the street will be possible.</p> <p>Can be conditioned accordingly</p> <p>Adequate space is available</p> <p>Can be conditioned accordingly</p> <p>All common areas will be adequately lighted.</p> <p>The proposal via the provision of lift cores through all levels is largely barrier free.</p> <p>The development does not have any steep gradients Can be conditioned accordingly</p> <p>The design has incorporated these features.</p> <p>The design has incorporated these features.</p> <p>Can be conditioned accordingly</p>

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<ul style="list-style-type: none"> <li>■ internal staircase designs for adaptable housing units that ensure a staircase inclinator can be installed at any time in the future; and</li> <li>■ providing a disabled car space for each dwelling designated as adaptable.</li> </ul> <p><b>Note:</b> In the design of residential flat buildings, applicants shall consider the Access and Mobility Part of this DCP.</p>	<input type="checkbox"/>   <input checked="" type="checkbox"/>	<input type="checkbox"/>   <input type="checkbox"/>	<input checked="" type="checkbox"/>   <input type="checkbox"/>	<p>No internal stairway. The development utilises lift cores.</p> <p>See next section.</p>														
<p><b>D1</b> All development proposals with five or more housing units shall be capable of being adapted (Class C) under AS 4299. The minimum number of adaptable housing units is set out below.</p> <p><b>Number of dwellings Number of adaptable units</b></p> <table border="1" data-bbox="229 904 810 1272"> <thead> <tr> <th>Number of dwellings</th> <th>Number of units</th> </tr> </thead> <tbody> <tr> <td>5-10</td> <td>1</td> </tr> <tr> <td>11-20</td> <td>2</td> </tr> <tr> <td>21 – 30</td> <td>3</td> </tr> <tr> <td>31- 40</td> <td>4</td> </tr> <tr> <td>41 - 50</td> <td>5</td> </tr> <tr> <td>Over 50</td> <td>6</td> </tr> </tbody> </table> <p>(Plus 10% of additional dwellings beyond 60, rounded up to the nearest whole number)</p> <p><b>Note:</b> Adaptable Housing Class C incorporates all essential features listed in Appendix A – Schedule of Features for Adaptable Housing in AS 4299.</p>	Number of dwellings	Number of units	5-10	1	11-20	2	21 – 30	3	31- 40	4	41 - 50	5	Over 50	6	<input checked="" type="checkbox"/>   <input type="checkbox"/>	<input type="checkbox"/>   <input checked="" type="checkbox"/>	<input type="checkbox"/>   <input type="checkbox"/>	<p>The development proposes 53 units however 6 units within the development have not been specifically designated as being adaptable. As stated previously, the building is fully visitable and can be easily made to be adaptable to meet disabled access requirements.</p> <p>If approval of the application is considered, a deferred commencement condition of consent will be to nominate 6 units within the proposal which are fully adaptable in accordance with the relevant Australian Standards. This will also include a requirement to have an associated disabled accessible car parking space in the basement. The development is accordingly acceptable in this regard.</p>
Number of dwellings	Number of units																	
5-10	1																	
11-20	2																	
21 – 30	3																	
31- 40	4																	
41 - 50	5																	
Over 50	6																	
<p><b>9.3 Lifts</b></p> <p><b>Development controls</b></p> <p><b>D1</b> Lifts are encouraged to be installed in four (4) storey residential flat buildings where adaptable housing units shall be required.</p> <p><b>D2</b> Where the development does not provide any lifts and includes adaptable housing units, the adaptable housing units shall be located within the ground floor of the development.</p>	<input checked="" type="checkbox"/>   <input type="checkbox"/>	<input type="checkbox"/>   <input type="checkbox"/>	<input type="checkbox"/>   <input checked="" type="checkbox"/>	<p>The development proposed two separate lift cores within the building. The development is acceptable in this regard.</p>														
<p><b>9.4 Physical barriers</b></p> <p><b>Development controls</b></p> <p><b>D1</b> Physical barriers, obstacles, steps and steep gradients within the</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>There are no steep gradients or steps provided without suitable alternative wheelchair ramp or lift access within the</p>														

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development site shall be avoided.				development. The development is acceptable in this regard.
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**Section 94 Contributions Plan**

The development would require the payment of contributions in accordance with Council Section 94 Contributions Plans. It is recommended that conditions be imposed on any consent requiring the payment of these contributions prior to the issue of any construction certificate for the development.

The calculation is based on 6 x 1 bedroom units, 41 x 2 bedroom units and 6 x 3 bedroom units. As at 3 June 2011, the fee payable is \$276,813.59. This figure is subject to indexation as per the relevant plan.

**Disclosure of Political Donations and Gifts**

The NSW Government introduced The Local Government and Planning Legislation Amendment (Political Donations) Act 2008 (NSW). This disclosure requirement is for all members of the public relating to political donations and gifts. The law introduces disclosure requirements for individuals or entities with a relevant financial interest as part of the lodgement of various types of development proposals and requests to initiate environmental planning instruments or development control plans.

The applicant and notification process did not result in any disclosure of Political Donations and Gifts.

**The provisions of the Regulations (EP& A Act s79C(1)(a)(iv))**

The proposed development raises no concerns as to the relevant matters arising from the EP& A Regulations 2000.

**The Likely Environmental, Social or Economic Impacts (EP& A Act s79C(1)(b))**

It is considered that the proposed development will have no significant adverse environmental, social or economic impacts in the locality.

**The suitability of the site for the development (EP&A Act s79C(1)(c))**

The subject site and locality is not known to be affected by any natural hazards or other site constraints likely to have a significant adverse impact on the proposed development. Accordingly, the site can be said to be suitable to accommodate the proposal. The proposed development has been assessed in regard to its environmental consequences and having regard to this assessment, it is considered that the development is suitable in the context of the site and surrounding locality.

**Submissions made in accordance with the Act or Regulation (EP&A Act s79C(1)(d))**

Advertised (newspaper)  Mail  Sign  Not Required



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In accordance with Council's Notification of Development Proposals Development Control Plan, The application was initially notified from 5 April 2011 to 19 April 2011. This notification included a newspaper advertisement (Auburn Review 5 April 2011) and site notice.

Due to significant public interest in the proposal, re-notification of the proposal was undertaken. The re notification of the proposal occurred from 17 May 2011 to 31 May 2011. The re notification included a new newspaper advertisement (Auburn Review 17 May 2011) and site notice.

The notification generated 84 submissions (78 pro-forma style letters) in respect of the proposal with nil disclosing a political donation or gift. The issues raised in the public submissions are summarised and commented on as follows:

**Issue**

***The development is not in keeping with the street-scape of the local area***

**Comment**

Streetscape character is generally influenced by a broad range of factors including street widths, public domain works, street trees, spacing and frequency of vehicular and pedestrian access points as well as building heights, setbacks, bulk, scale and building form.

The subject proposal will impact on the existing streetscape character to the extent that the development will be substantially higher and will have a greater bulk and scale compared with the other buildings within the immediate vicinity of the site.

It is noted however, that the development proposal complies with the key planning controls which influence building bulk and scale; namely, floor space ratio and building height requirements as specified within the *Auburn Local Environmental Plan 2010*. The proposal is also considered to be generally consistent with the building design requirements associated with the *Auburn Development Control Plan 2010* and the *Residential Flat Design Code* associated with *State Environmental Planning Policy 65 – Design Quality of Residential Development*.

The portion of the Auburn town centre is considered to be undergoing transition. Over time, as redevelopment occurs in accordance with the Auburn LEP 2010, the currently proposed building would become less conspicuous and would ultimately be consistent with an emerging high density residential streetscape.

**Issue**

***The development will lead to a huge increase in the number of residents in the area and that will cause an increase in traffic and road safety concerns especially for the school children and the elderly who use Mary Street.***

**Comment**

The development proposes the construction of 53 residential units together with 81 car spaces. This represents a considerable increase in the number of residents living within this portion of Mary Street.

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The increased number of residences proposed by the development is however, considered to be consistent with the residential capacities envisaged by the Auburn LEP 2010. Further the number of car parking spaces proposed for the development complies with the parking requirements of the Parking and Access Chapter of the Auburn Development Control Plan 2010. To this extent, the local road network is expected to be capable of accommodating the additional traffic that would be generated by the development.

Should the application be approved, vehicular access to the site would be required to comply with the design requirements of the Australian Standards and the existing speed limits and traffic management measures associated with the local road network would be retained. To this extent, the development proposal would not be expected to impact adversely on the existing road safety conditions for school children or elderly persons using Mary Street.

**Issue**

***This type of construction will open the door for further high rise in this part of Auburn and I don't want this area to change from the single and double storey clinics and residences that are already here***

**Comment**

Approval of this application does not lawfully permit, or otherwise imply support, for any subsequent development applications for similar types of development that may be lodged with Council for consideration. All development applications are assessed on a case by case basis having regard to the specific merits of each proposal. It should be acknowledged however, that the development proposal does represent the high density residential nature of development permitted and encouraged within the locality by the Auburn LEP 2010.

**Issue**

***It will make parking even more difficult than it already is.***

**Comment**

The proposed development incorporates 64 residential car spaces, 4 commercial car spaces and 12 visitor car spaces. The provision of parking satisfies the parking requirements of Councils Development Control Plan. The development would therefore not be expected to create any significant reduction in the availability of street parking within the locality.

**Issue**

***I am concerned about security and high rise buildings usually mean an increase in crime***

**Comment**

The building design gives appropriate consideration to safety and crime risks. The development incorporates casual surveillance opportunities by providing an active commercial street frontage with substantial glazing as well as residential units having living areas and balconies orientated to the street. The development also incorporates restricted access to residential areas and appropriate lighting. The application is also supported by a Crime Risk Analysis report and letter of compliance prepared by an independent crime risk

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

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**ATTACHMENT 1**

assessment organisation, Strategic Risk Solutions, verifying that the development satisfies the requirements of the *NSW Safer by Design Program*.

The development would not be expected to increase crime risk in the locality.

**Issue**

***The proposed building is too high and it will overshadow and overlook the existing buildings, the school and the clinic I attend***

**Comment**

The development will cause a shadow impact on the land and buildings to the south, south west and south east of the site. The shadows cast at 9am during the winter solstice will extend over Mary Street and will impact a substantial portion of the property known as 30 Mary Street (corner of Mary and Alice Streets) as well as the western half of the property known as 28 Mary Street. By midday, the shadows would not impact 30 Mary Street, but would extend over the northern half of 28 Mary Street and 26 Mary Street. By 3pm, the properties at 28 and 26 Mary Street would be clear of shadow. At this point, shadows will extend to the south eastern property known as 24 Mary Street.

Shadow impacts during summer periods would be substantially reduced across all properties compared with the impacts that would be experienced during winter solstice as detailed above.

Whilst the development proposal would result in a shadow impact to southern properties, it should be recognised that this shadow impact is substantially reduced due to the separation provided by Mary Street. Further, the shadow impacts are not constant. The affected properties will retain full solar access for a significant portion of each day.

**Issue**

***Overlooking and privacy impacts***

**Comment**

The development is designed to minimise overlooking and privacy impacts by orientating living areas and balcony areas for the residential units to the front (south) and rear (north) only. Eastern and western views to adjoining sites are minimised as a result. Further, a substantial setback has been incorporated to the northern boundary in conjunction with a landscaped buffer to assist in screening neighbouring properties to the north. The design is considered to be appropriate in terms of reducing privacy and overlooking impacts associated typically associated with this type and scale of development.

**Issue**

***Traffic impacts generally and the impact on access for emergency service vehicles within the locality***

**Comment**

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**ATTACHMENT 1**

As commented on earlier, the proposed development incorporates 64 residential car spaces, 4 commercial car spaces and 12 visitor car spaces. The provision of parking satisfies the parking requirements of Councils Development Control Plan. The development would therefore not be expected to create any significant reduction in the availability of street parking within the locality. Consequently, the development would not be expected to impact on access for emergency services.

The development would create additional traffic within the locality. The local road network is however, expected to be capable of satisfactorily accommodating the additional volumes without significant adverse impacts.

**Issue**

**Shadow impacts on 31 Mary Street, Auburn**

**Comment**

Shadow diagrams submitted with the development application demonstrate that virtually no shadow will be cast over the adjoining eastern property known as 31 Mary Street.

**Issue**

**Noise, pollution and dust generated by the development will impact on health**

**Comment**

Should the application be approved, it is recommended that conditions of consent be included to ensure that noise and dust generation associated with the construction phase of the development be suitably controlled.

The proposed development incorporates a number of commercial tenancies together with residential accommodation. To this extent, the operational phase of the development is not identified as being a significant noise or dust generating activity.

The construction and operational phases of the development are not expected to generate pollution.

**Issue**

**Impacts on sewer services**

**Comment**

The subject site is considered to be capable of supporting the development being proposed with regard to the provision of sewer services. Should the application be approved, it is recommended that a condition of consent be included to ensure that the service needs of the development are suitably implemented in accordance with Sydney Water requirements.

**Issue**

**Pressure on services such as hospitals and schools**

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

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**ATTACHMENT 1**

Comment

The development would involve an additional population residing within the Auburn town centre. To this extent, there would be potentially a very minor increase in demand for services. The surrounding health services and schools are however, considered to be capable of accommodating this minor increase in service demand.

The development will detract from the appeal of the area for the future

The development satisfies the floor space ratio and building height requirements of the Auburn LEP 2010 and is considered to be consistent with the objectives of the zone as detailed in the report above. Further, the proposed building is considered to have a high level of architectural merit and satisfies the design requirements expressed within the Residential Flat Design Code associated with SEPP 65 as well as the Local Centre Development Control Plan. The development is therefore not expected to detract from the appeal of the locality.

Issue

**The development should include professional acoustic assessment reports addressing the Interim Construction Guidelines (2009), NSW Industrial Noise Policy (2000) for commercial Premises, the Protection of Environment Operations Act 1997 for residential premises and the Environmental Criteria for Road Traffic Noise (1999).**

Comment

The development proposal would be expected to generate some noise impacts during both the construction phase of the development as well as the operational phase of the development.

Should the application be approved, it is recommended that conditions of consent be included to ensure noise levels during construction do not exceed limits detailed under the Protection of Environment Operations Act.

The operation phase of the development would not be expected to generate noise level beyond that typically associated with residential flat developments types. The individual uses associated with the commercial tenancies is not being established at this time and should the application be approved, it is recommended that a condition of consent be included to ensure that a separate approval be sought for the use of each tenancy.

The submission of a noise reports is not considered necessary in this instance in view of the nature and design of the development being proposed.

Issue

***Impacts on playground areas of the Trinity Catholic College including:***

- a) traffic congestion and parking issues,***
- b) overlooking and amenity impacts on the playgrounds of the College***
- c) incompatibility of scale with the College,***
- d) setting a precedent for other development types of this scale adjacent to the College,***

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

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**ATTACHMENT 1**

- e) *the provision of a 9 storey nature of the building where the DCP states that only 6 storeys are permitted.***

Comment

- a) The proposed development provides a satisfactory number of onsite car parking spaces in accordance with the requirements of the Car Parking and Loading Chapter of the Auburn DCP. The development is not expected to generate traffic beyond the capacity of the local road network.
- b) The development is considered to represent an appropriate design response for the site having regard to the adjoining development types. It is noted that the proposal incorporates a substantial deep soil zone along the northern portion of the site capable of supporting large tree growth thereby reducing impacts of overlooking to the College playground. Further it is noted that the playground is located approximately 40m (in the horizontal plane) from the School playground.
- c) The development will be substantially larger in terms of bulk and scale when compared with the adjacent College. Such impacts are considered acceptable on the grounds that sufficient separation is provided between the buildings, the proposed development will not overshadow the College building at any time and the building satisfies the height requirements of the recently made planning controls for the locality.
- d) As detailed above, approval of this application does not lawfully permit, or otherwise imply support, for any subsequent development applications for similar types of development that may be lodged with Council for consideration. All development applications are assessed on a case by case basis having regard to the specific merits of each proposal. It should be acknowledged however, that the development proposal does represent the high density residential nature of development permitted and encouraged within the locality by the Auburn LEP 2010.
- e) As detailed in the assessment report above, the DCP controls relating to the maximum permitted number of storeys within a building are intended to ensure suitable floor to ceiling heights are provided for purely commercial buildings, which typically require substantially larger ceiling heights compared with residential development types. In this instance, a mixed use development is being proposed, incorporating both commercial and residential units.

The proposed commercial units are appropriately provided with large floor to ceiling heights, whilst residential units have reduced heights. Given that both commercial and residential floor to ceiling heights satisfy the requirements of Residential Flat Design Code (detailed above), the variation to the DCP standard is considered acceptable in this instance. It should also be recognised that the principal controls governing development height are provided by the Auburn LEP, being 27m. The development satisfies this provision.

Issue

**Impact on safety of children and the elderly resulting from trucks accessing the site during construction**

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

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**ATTACHMENT 1**

Comment

Should be development be approved, access for trucks would be a requirements during the construction phase of the development. It should be noted however, that truck access is generally a requirement for all construction approvals and is not a valid reason to refuse an application. It is however recommended, that should the application be approved, conditions of consent be included to ensure appropriate construction management is provided including hoarding and restricted public access as well as traffic management plan as necessary.

Issue

**Overshadowing and loss of privacy of premises at 26 Mary Street**

Comment

The development will cast shadow over the premises at 26 Mary Street. The greatest extent of this impact would occur during mid winter between the hours of 11am and 1pm. (The shadow diagrams submitted with the application indicate that the premises at 26 Mary Street would be virtually clear of shadow until approximately 9:30am and after approximately 2:30pm.) Midday shadow during mid winter would extend across approximately half of the ground surface of the 26 Mary Street premises and would likely cover a significant portion of the façade of this building at this time.

The extent of shadow impacts however are not constant during mid-winter with access to early morning and afternoon sun being retained. Solar access during summer would be notably improved compared to mid-winter.

Notwithstanding the above, the shadow impact is reduced by the setback proposed to Mary Street (exceeding the requirements of the DCP) and is considered acceptable in the circumstances of the case, particularly given the level of compliance achieved with the height and floor space ratio requirements of the Auburn LEP 2010.

The design and separation distance of the development proposal from the premises at 26 Mary Street will ensure that privacy impacts are minimised to an acceptable level.

Issue

**Financial loss for operator of health consulting room at 26 Mary Street due to overshadowing, traffic, noise, dust, parking and privacy impacts**

Comment

There is no evidence to suggest that should the proposed development be approved, the premises at 26 Mary Street would suffer financial loss does to the impacts stated above. It could be reasonably argued that the premises would actually benefit from the development proposal over the long term, given the expected higher level of residents in the locality.

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**The public interest (EP& A Act s79C(1)(e))**

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The public interest is served by permitting the orderly and economic development of land, in a manner that is sensitive to the surrounding environment and has regard to the reasonable

Notice of Rescission Motion - 27 Mary Street, Auburn (cont'd)

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**ATTACHMENT 1**

amenity expectations of surrounding land users. In view of the foregoing analysis it is considered that the development, if carried out subject to the conditions set out in the recommendation below, will have no significant adverse impacts on the public interest.

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**Conclusion**

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The development application has been assessed in accordance with the relevant requirements of the Environmental Planning and Assessment Act 1979.

The proposed development is appropriately located within the B4 - Mixed Use zone under the relevant provisions of Auburn Local Environmental Plan 2010. The proposal is consistent with all statutory and non-statutory controls applying to the development. Minor non-compliances with Council's controls have been discussed in the body of this report. The development is considered to perform adequately in terms of its relationship to its surrounding built and natural environment, particularly having regard to impacts on adjoining properties.

For these reasons, it is considered that the proposal is satisfactory having regard to the matters of consideration under Section 79C of the Environmental Planning and Assessment Act, 1979, and the development may be approved subject to conditions.

**ATTACHMENTS (previously circulated to Councillors under separate cover with Business Paper of June 15, 2011)**

T019541/2011 Plans - Site Analysis / Site / Floor / Site Management / Elevations / Finishes / Sections / Photomontage / Shadow Diagrams / Survey



**AUBURN CITY COUNCIL**

August 10, 2011  
To the Ordinary Meeting of Council

General Manager's Report

**209/11      Matters Determined without Further Debate**

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C-28-02/03      JB : MW

**SUMMARY**

Council will determine those matters which it will adopt 'en globo' and those matters which it will consider individually.

**RECOMMENDATION**

- 1.    *That Council identify those matters to be dealt with by the exception method.***
- 2.    *That the remaining matters and the recommendations therein be adopted.***

## AUBURN CITY COUNCIL

August 10, 2011  
To the Ordinary Meeting of Council

Director's Report  
Planning and Environment  
Department

**210/11 149 Auburn Road, Auburn**

DA-101/2011 GF : CC

**SUMMARY**

<b>Applicant</b>	Al-Faisal College.
<b>Owner</b>	Australian Islamic Cultural Centre.
<b>Application No.</b>	DA-101/2011.
<b>Description of Land</b>	Lot 1 in DP 1102234 being 149 Auburn Road, AUBURN.
<b>Proposed Development</b>	Alterations and additions to existing school including the provision additional ground level amenities and the construction of a rooftop play area and additional roof level amenities
<b>Site Area</b>	5,611.5 Square metres.
<b>Zoning</b>	<b>Zone R3 - Medium Density Residential.</b>
<b>Disclosure of political donations and gifts</b>	Nil disclosure.
<b>Issues</b>	Height of the new development. Floor space ratio.

**RECOMMENDATION**

*That Development Application No. DA-101/2011 for alterations and additions to existing school including the provision additional ground level amenities and the construction of a rooftop play area and additional roof level amenities on land at 149 Auburn Road, AUBURN be approved subject to conditions:*

a) *Standard Conditions as detailed in Council's Standard Conditions Book:*

<b>GE001</b>	<b>GE003</b>	<b>GE004</b>	<b>GE006</b>	<b>GE007</b>	<b>GE008</b>
<b>GE010</b>	<b>GE012</b>	<b>GE014</b>	<b>GE018</b>	<b>GE019</b>	<b>GE020</b>
<b>CM001</b>	<b>CM002 (A, B and C)</b>	<b>CM004A</b>	<b>CM006</b>	<b>CM007</b>	<b>CM008</b>
<b>CM009</b>	<b>CM023</b>	<b>CM025 (F, G, and H)</b>	<b>CM026</b>	<b>CM051</b>	<b>CM056</b>
<b>SE003</b>	<b>FS006</b>	<b>FS007</b>	<b>NP003</b>	<b>SS003</b>	<b>US003</b>
<b>BC007</b>	<b>BC008</b>	<b>BC016</b>	<b>BC017</b>	<b>OC004</b>	

b) *The following special conditions:*

1. **Stormwater disposal**

*All stormwater runoff generated from the proposed toilet block areas shall be directed towards the existing property drainage system.*

**Reason:-** to prevent localised flooding.

2. **Submission of full stormwater disposal details**

*Full stormwater drainage details showing the proposed method of stormwater collection and disposal are to be submitted to Council or the Accredited*

149 Auburn Road, Auburn (cont'd)

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***Certifier to ensure the approved stormwater plans are incorporated with the Construction Certificate.***

***The details shall be prepared by a suitably qualified practising Civil/Hydraulic Engineer and must be in accordance "Auburn Development Control Plans 2000 - Stormwater Drainage" and "Australian Rainfall & Runoff 1987".***

- ***The stormwater plan shall be amended to comply with the work as executed plan submitted to the council, Stormwater plan No 04047-C01 rev M with WAE levels marked in red and signed by surveyor 14/02/2009.***
- ***All connections to the OSD and rainwater tank shall be clearly shown on the stormwater plans.***
- ***Existing overland flow shall be allowed under the toilet block.***

***Reason:- to prevent localised flooding and to ensure stormwater discharged suitably.***

**3. Privacy and acoustic screen along the northern elevation of the roof top recreation area**

***The parapet wall situated along the northern elevation of the recreation area over Building B shall be raised from 1.2 metres to a minimum height of 1.5 metres to provide additional privacy to the adjoining residents. A further 300mm Perspex screen shall also be provided atop the 1.5m parapet so as to achieve a total height of 1.8m.***

***Details of the additional height of the parapet wall shall be shown on the plans to be approved with the Construction Certificate by Council or the Accredited Certifier.***

***Reason:- to provide appropriate privacy to the residents of Number 147 Auburn Road Auburn.***

## REPORT

### Consultations

A preliminary assessment was undertaken on 19 April 2010 and correspondence was prepared then sent to the applicant requesting the following:-

- Owners consent.
- Additional fees for advertising the application.
- A submission addressing Clause 4.3, 4.4 and 4.6 and the heritage matters under the Auburn Local Environmental Plan 2010.
- Modification to the stormwater drainage system with respect to overland flow paths.

The details were submitted on 25 May 2011 for the final assessment of the application.

149 Auburn Road, Auburn (cont'd)

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## **History**

### Development Application 399/2004 - Series

Development Application 399/2004 was lodged on the 23 September 2004 for the demolition of 4 existing dwellings at 52 - 56 Harrow Road and construction of a 4 storey addition and alterations to an existing school known as Al Faisal College to service a total of 1,000 pupils and incorporating basement car parking for a total of 54 vehicles and associated landscaping, drainage and public domain works.

On the 26 August 2006 Council granted deferred commencement approval subject to deferred commencement conditions relating to view loss.

Additional information was submitted by the applicant to satisfy the Deferred Commencement condition and operational consent was granted on the 9 November 2005.

Section 96(1A) Application 399/2004/A was lodged on the 14 December 2005 to stage the construction and demolition works. The application was withdrawn by the applicant on the 10 March 2006.

Section 96(1A) Application 399/2004/B was lodged on the 7 March 2006 to amend approved alterations and additions to educational establishment by rearrangement of rooms and hall ways, consolidation of toilet facilities, removal of some internal ramps, installation of lift and incorporate a staging plan for the construction of the development. The application was approved under delegated authority on the 5 May 2006.

Section 96(1) Application 399/2004/C was lodged on the 03 August 2006 to modify the subject development consent to delete condition 11 relating to the provision of Section 94 contributions as there was no requirement for such a use in any contribution plan. This was approved under delegated authority on the 4 August 2006.

Section 96(2) Application 399/2004/D was lodged on the 19 September 2006 to modify ground floor fire escape, changes to the main facade of the building and increase in floor to ceiling height. The application was approved by Council on the 6 December 2006.

Section 96(1A) Application 399/2004/E was lodged on the 22 May 2007 to make minor internal changes and relocate a pedestrian ramp. The application was approved under delegated authority on the 5 June 2007.

Section 96(1) Application 399/2004/F was lodged on the 23 July 2007 to correct the property description to Lot 1 in DP 1102234 known as 149 Auburn Road, Auburn. The application was approved under delegated authority on the 23 July 2007.

Section 96(1A) Application 399/2004/G was lodged on the 19 October 2007 to install two access stairs to the roof and additional awnings over the doors for weather protection. The application was approved under delegated authority on the 8 November 2007.

### Development Application 422/2007 - Series

DA422/2007 was lodged on the 18 December 2007 for use of roof-top level of existing college building as a play area including the construction of 6m high chain wire fence and 1.8m high and 12mm thick perspex screening around the perimeter of the roof level and

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construction of shade sails. Council at the meeting of the 20 August 2008 authorised the General Manager to determine the development based on all the information being an acoustic report, shadow diagrams and heritage impact statement. The application was approved under delegated authority on the 23 February 2009

Section 96(1A) Application DA422/2007/A was lodged on the 12 May 2009 to modify acoustic screen of Al-Faisal College by reducing the extent of screening in accordance with acoustic report recommendations. The application was approved under delegated authority on the 13 July 2009.

Pre-lodgement Application

Pre-lodgement application 12/2009 was lodged on the 13 August 2009 for alterations and additions to Al Faisal School using Federal Funding Grants. Preliminary advice was provided to the applicant on the 21 August 2009.

Development Application 305/2009 Series

Development Application 305/2009 was lodged on the 25 August 2009 for Alterations and additions to existing school building to Auburn Road involving a new storey for classrooms and meeting room, increase ceiling height and roof to existing assembly hall, new lift and upgrade fire stairs, covered walkway, masonry fence and gates - Al Faisal College. Council, at its meeting of 21 October 2009 resolved to approve Development Application No 305/2009 subject to conditions.

Section 96(1A) Modification 305/2009/A was lodged to Council on 19 February 2010 for various modifications to the design including relocation of a lift, construction of a garbage enclosure and reconfiguration of the internal layout of the building. This was approved under delegated authority on 16 April 2010.

Development Application 338/2010:

Development application Number 338/2010 was approved on 18 October 2010 for new classrooms, new store room and amenities subject to conditions.

Development Application 101/2011:

Development application Number 101/2011 was lodged to Council for determination on 30 March 2011.

**Site and Locality Description**

The subject site is located on the eastern side of Harrow Road and is known as Lot 1 in DP 1102234, 149 Harrow Road Auburn. It lies in the vicinity of Beatrice Street to the north, Auburn Road to the east, Helena Street to the south and Harrow Road to the west. The site has an area of 5,611.5 square metres.

The extension to the existing Al Faisal College building has largely been completed under development consent number DA399/2004 although some minor works are still outstanding. The building on site is currently four storeys in height.

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There are residential flat buildings located to the west on Harrow Road and dwelling houses located to the east on Auburn Road. Four residential buildings are located to the north of the site facing Auburn Road. Two of these are single storey detached dwellings, one is a two storey duplex and the other is a two storey residential flat building.

A three storey residential flat development is located immediately to the north of the subject site with frontages to both Harrow Road and Auburn Road. Four three storey residential flat buildings are located on the opposite side of Harrow Road to the west.

The neighbouring site to the south is occupied by Auburn Uniting Church which is a corner site fronting Harrow Road to the west and Helena Street to the south. The church building is identified as an item of heritage significance under Auburn Local Environmental Plan 2010. (Item No. I21 in Schedule 5).

A hall and a church office is situated adjacent to the church and the Al Faisal College.

The location of the site is shown below.



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### 149 Auburn Road, Auburn (cont'd)



Subject site as seen from the air. The school has been built to this level since the late 1990s.

Heritage listed site being the Uniting Church.

### Description of Proposed Development

Development application Number 101/2011 has been lodged to Council for the following works and additions to the Al Faisal School Campus:-

- Construction of additional toilets for the playground area on the rooftop of Building C. The toilets have dimensions of 11 metres x 4 metres and having an area of 44 square metres.
- Construction of new toilets on the ground in the playground. The facility has dimensions of 14 metres x 3 metres and having a floor area of 42 square metres. This will become a boys toilet facility.
- Construct a rooftop recreation area on the rooftop of Building B. The recreation area is similar in nature to the existing one on the roof of Building C except that it will be smaller in area having the following dimensions:-
  - Northern elevation - 20.6 metres.
  - South elevation - 27.6 metres.
  - Eastern and western elevations - 20 metres.

The recreation area occupies 548.4 square metres which excludes the access stair at the north east corner. The area will be accessible via a lift.

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- Install fencing and steel framed canvas shades over the above rooftop recreational area. The plans show the new fences, the canvas structures and sail shades to be 6.5 metres high from the roof top level to the highest ridges.
- Construct new stairs to connect the new and existing rooftop recreation areas. The stair is 1 metre wide.

The works are linked to an improvement in the amenity for the students who attend the college. The works will not result in an increase in the number of students who attend the college or a change to the hours of operation.

### **Referrals**

#### ***Internal Referrals***

##### **Development Engineer**

The development application was referred to Council's Development Engineer for comment who has raised no objections to the proposed development subject to conditions to be incorporated into any consent that may be issued.

##### **Building Surveyor**

The development application was referred to Council's Development Engineer for comment who has raised no objections to the proposed development subject to conditions to be incorporated into any consent that may be issued.

##### **Fire Safety Officer**

The development application was referred to Council's Fire Safety Officer for comment who has raised no objections to the proposed development subject to conditions to be incorporated into any consent that may be issued.

#### **External Referrals**

State Environmental Planning Policy (Infrastructure) 2007 should be considered given that an Education Establishment with more than 50 students is situated on the site. The development application proposes no increase in student numbers. The development application is for additional toilets, a new rooftop recreation area, fences, shade structures and access stairs.

A review of the application and legislation suggests that no referral to the Roads and Traffic Authority is required because there is no increase in student numbers.

On this basis, a formal referral of the application under the state environmental planning policy is not required.

Note:- Educational establishments - 50 or more students fall under Column 2 of Schedule 3 (Clause 104) as a traffic generating activity.

**The provisions of any Environmental Planning Instruments (EP& A Act s79C(1)(a)(i))**



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**(a) State Environmental Planning Policy No. 55 - Remediation of Land**

The requirement at clause 7 of SEPP No. 55 for Council to be satisfied that the site is suitable or can be made suitable to accommodate the proposed development has been considered in the following table:

Matter for Consideration	Yes/No
Does the application involve re-development of the site or a change of land use?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the development going to be used for a sensitive land use (eg: residential, educational, recreational, childcare or hospital)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does information available to you indicate that an activity listed below has ever been approved, or occurred at the site? acid/alkali plant and formulation, agricultural/horticultural activities, airports, asbestos production and disposal, chemicals manufacture and formulation, defence works, drum re-conditioning works, dry cleaning establishments, electrical manufacturing (transformers), electroplating and heat treatment premises, engine works, explosive industry, gas works, iron and steel works, landfill sites, metal treatment, mining and extractive industries, oil production and storage, paint formulation and manufacture, pesticide manufacture and formulation, power stations, railway yards, scrap yards, service stations, sheep and cattle dips, smelting and refining, tanning and associated trades, waste storage and treatment, wood preservation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the site listed on Council's Contaminated Land database?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the site subject to EPA clean-up order or other EPA restrictions?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the site been the subject of known pollution incidents or illegal dumping?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the site adjoin any contaminated land/previously contaminated land?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Details of contamination investigations carried out at the site:  The issues of land contamination was addressed under development application 399/2004. The site is considered suitable for its intended use.	
Has the appropriate level of investigation been carried out in respect of contamination matters for Council to be satisfied that the site is suitable to accommodate the proposed development or can be made suitable to accommodate the proposed development?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**(b) Other State Environmental Planning Policies and Regional Environmental Planning Policies**

SEPP/REP	Applicable	SEPP/REP	Applicable	SEPP/REP	Applicable
SEPP 1 - Development Standards	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	SEPP 4 - Development Without Consent and Miscellaneous Complying Development	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	SEPP 6 - No. of Storeys in a Building	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
SEPP 10 - Retention of Low-Cost Rental Accommodation	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	SEPP 19 - Bushland in Urban Areas	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	SEPP 33 - Hazardous & Offensive Development	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N

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SEPP/REP	Applicable	SEPP/REP	Applicable	SEPP/REP	Applicable
n					
SEPP 53 - Metro Res. Development	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<b>SEPP 55 - Remediation of Land</b>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	SEPP 64 - Advertising & Signage	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
SEPP 65 - Design Quality of Residential Flat Development	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	SEPP (Housing for Seniors & People with a Disability) 2004	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	SEPP (Building Sustainability Index: BASIX) 2004	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
SEPP (Major Projects) 2005	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	SEPP (Temporary Structures & Places of Public Entertainment)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<b>SEPP (Infrastructure) 2007</b>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
REP No. 24 - Homebush Bay Area	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<b>Sydney REP (Sydney Harbour Catchment) 2005</b>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	SEPP (Affordable Rental Housing) 2009	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N

**(c) Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005**

The site is located within the area within the Sydney Harbour Catchment and SREP (Sydney Harbour Catchment) 2005 is applicable to the development application. The development application raises no issues as to consistency with the requirements and objectives of the planning instrument.

**Local Environmental Plans**

**Auburn Local Environmental Plan 2010**

State Environmental Planning Policy Amendment (Standard Instrument) 2011 will not apply to this application. It will apply to new applications lodged from 13 July 2011. Hence, this application can be determined under the ALEP 2010 Amendment Number 1.

**Auburn Local Environmental Plan 2010 Compliance Table**

The relevant objectives and provisions of Auburn LEP 2010 have been considered in the following assessment table:

<b>1.1 Name of Plan</b> This Plan is <i>Auburn Local Environmental Plan 2010</i> .	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Approval is sought for minor additions to a school.
<b>1.1 AA Commencement</b> This Plan commences on the day on which it is published on the NSW legislation website.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The plan was gazetted on 29 October 2010.



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<p>must be determined as if this Plan had not commenced.</p> <p><b>Note.</b> However, under Division 4B of Part 3 of the Act, a development application may be made for consent to carry out development that may only be carried out if the environmental planning instrument applying to the relevant land is appropriately amended or, if a new instrument, including an appropriate principal environmental planning instrument, is made, and the consent authority may consider the application. The Division requires public notice of the development application and the draft environmental planning instrument allowing the development at the same time, or as closely together as is practicable.</p>				
<p><b>1.9 Application of SEPPs and REPs</b></p> <p>(1) This Plan is subject to the provisions of any State environmental planning policy and any regional environmental plan that prevail over this Plan as provided by section 36 of the Act.</p> <p>(2) The following State environmental planning policies and regional environmental plans (or provisions) do not apply to the land to which this Plan applies:</p> <p><i>State Environmental Planning Policy No 1—Development Standards</i></p> <p><i>State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development</i> (clause 6, clause 10 and Parts 3 and 4)</p> <p><i>State Environmental Planning Policy No 60—Exempt and Complying Development</i></p> <p><i>Sydney Regional Environmental Plan No 24—Homebush Bay Area</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The state policies stated below are not relevant to this application.</p>
<p><b>1.9A Suspension of covenants, agreements and instruments</b></p> <p>(1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a development consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.</p> <p>(2) This clause does not apply:</p> <p>(a) to a covenant imposed by the Council or that the Council requires to be</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

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<p>imposed, or</p> <p>(b) to any prescribed instrument within the meaning of section 183A of the <i>Crown Lands Act 1989</i>, or</p> <p>(c) to any conservation agreement within the meaning of the <i>National Parks and Wildlife Act 1974</i>, or</p> <p>(d) to any Trust agreement within the meaning of the <i>Nature Conservation Trust Act 2001</i>, or</p> <p>(e) to any property vegetation plan within the meaning of the <i>Native Vegetation Act 2003</i>, or</p> <p>(f) to any biobanking agreement within the meaning of Part 7A of the <i>Threatened Species Conservation Act 1995</i>, or</p> <p>(g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act.</p>				
<p>(3) This clause does not affect the rights or interests of any public authority under any registered instrument.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p>(4) Under section 28 of the Act, the Governor, before the making of this clause, approved of sub clauses (1)–(3).</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

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<b>Part 2 Permitted or prohibited development</b>				
<p><b>2.1 Land use zones</b></p> <p>The land use zones under this Plan are as follows:</p> <p><b>Residential Zones</b></p> <p>R2 Low Density Residential</p> <p><b>R3 Medium Density Residential</b></p> <p>R4 High Density Residential</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The land is zone R3 Medium Density Residential. A school is considered to be an educational establishment. An educational establishment is a permissible use with consent in the zone.</p>
<p><b>2.2 Zoning of land to which Plan applies</b></p> <p>For the purposes of this Plan, land is within the zones shown on the Land Zoning Map.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>2.3 Zone objectives and land use table</b></p> <p>(1) The Table at the end of this Part specifies for each zone:</p> <p>(a) the objectives for development, and</p> <p>(b) development that may be carried out without consent, and</p> <p>(c) development that may be carried out only with consent, and</p> <p>(d) development that is prohibited.</p> <p>(2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.</p> <p>(3) In the Table at the end of this Part:</p> <p>(a) a reference to a type of building or other thing is a reference to development for the purposes of that type of building or other thing, and</p> <p>(b) a reference to a type of building or other thing does not include (despite any definition in this Plan) a reference to a type of building or other thing referred to separately in the Table in relation to the same zone.</p> <p>(4) This clause is subject to the other provisions of this Plan.</p> <p><b>Notes.</b></p> <p>1. Schedule 1 sets out additional permitted uses for particular land.</p> <p>2. Schedule 2 sets out exempt development (which is generally exempt from both Parts 4</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The land is zone R3 Medium Density Residential. An educational establishment is permissible with consent in the zone.</p>

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<p>and 5 of the Act). Development in the land use table that may be carried out without consent is nevertheless subject to the environmental assessment and approval requirements of Part 5 of the Act or, if applicable, Part 3A of the Act.</p> <p>3. Schedule 3 sets out complying development (for which a complying development certificate may be issued as an alternative to obtaining development consent).</p> <p>4. Clause 2.6 requires consent for subdivision of land.</p> <p>5. Part 5 contains other provisions which require consent for particular development.</p> <p>6. Part 6 contains local provisions which require consent for particular development.</p>				
<p><b>2.4 Unzoned land</b></p> <p>(1) Development may be carried out on unzoned land only with consent.</p> <p>(2) Before granting consent, the consent authority:</p> <p>(a) must consider whether the development will impact on adjoining zoned land and, if so, consider the objectives for development in the zones of the adjoining land, and</p> <p>(b) must be satisfied that the development is appropriate and is compatible with permissible land uses in any such adjoining land.</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>The land is within the R3 Medium Density Residential zone.</p>
<p><b>2.5 Additional permitted uses for particular land</b></p> <p>(1) Development on particular land that is described or referred to in Schedule 1 may be carried out:</p> <p>(a) with consent, or</p> <p>(b) if the Schedule so provides—without consent,</p> <p>in accordance with the conditions (if any) specified in that Schedule in relation to that development.</p> <p>(2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	
<p><b>2.6 Subdivision—consent requirements</b></p> <p>(1) Land to which this Plan applies may be subdivided, but only with consent.</p> <p>(2) However, consent is not required for a subdivision for the purpose only of any one or more of the following:</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>A subdivision is not proposed.</p>

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<p>(a) widening a public road, (b) a minor realignment of boundaries that does not create: <i>(i) additional lots or the opportunity for additional dwellings, or</i> <i>(ii) lots that are smaller than the minimum size shown on the Lot Size Map in relation to the land concerned,</i> (c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings, (d) rectifying an encroachment on a lot, (e) creating a public reserve, (f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.</p> <p><b>Note.</b> If a subdivision is exempt development, the Act enables the subdivision to be carried out without consent.</p>				
<p><b>2.6 AA Demolition requires consent</b> The demolition of a building or work may be carried out only with consent. <b>Note.</b> If</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Demolition work is not proposed in this application.
<p><b>Zone R3 Medium Density Residential</b></p> <p><b>1 Objectives of zone</b></p> <ul style="list-style-type: none"> <li>• To provide for the housing needs of the community within a medium density residential environment.</li> <li>• To provide a variety of housing types within a medium density residential environment.</li> <li>• To enable other land uses that provides facilities or services to meet the day to day needs of residents.</li> </ul> <p><b>2 Permitted without consent</b> Nil</p> <p><b>3 Permitted with consent</b> Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Group homes; Multi dwelling housing; Neighbourhood shops; Places of public worship; Roads; Semi-detached dwellings; Seniors housing; Any other development not</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The land is zone R3 Medium Density Residential. An educational establishment is permissible with consent in the zone.</p> <p>Alterations and additions to a school is permissible with consent.</p>



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<p>specified in item 2 or 4</p> <p><b>4 Prohibited</b></p> <p>Agriculture; Air transport facilities; Amusement centres; Boat repair facilities; Boat sheds; Bulky goods premises; Business premises; Canal estate developments; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Electricity generating works; Entertainment facilities; Environmental facilities; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industries; Information and education facilities; Landscape and garden supplies; Marinas; Mining; Moorings; Mortuaries; Office premises; Passenger transport facilities; Port facilities; Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Retail premises; Rural industries; Rural supplies; Service stations; Sewerage systems; Sex services premises; Signage; Storage premises; Timber and building supplies; Tourist and visitor accommodation; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Waste or resource management facilities; Water recreation structures; Water supply systems; Wholesale supplies</p>				<p>Hence the works which includes:-</p> <ul style="list-style-type: none"> <li>• Construction of additional toilets for the playground area on the rooftop of Building C and on the ground in the playground.</li> <li>• Construct a rooftop recreation area on the rooftop of Building B.</li> <li>• Install fencing and steel framed canvas shades over the above rooftop recreational area.</li> <li>• Construct new stairs to connect the new and existing rooftop recreation areas.</li> </ul> <p>Are associated with the school. The new works are permissible with consent as ancillary features or structures to the school.</p>
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<b>Part 4 Principal development standards</b>				
<b>4.1 Minimum subdivision lot size</b>				
(1) The objectives of this clause are as follows:  (a) to ensure that lot sizes are able to accommodate development consistent with relevant development controls, and  (b) to ensure that subdivision of land is capable of supporting a range of development types.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A subdivision is not proposed. The allotment will remain the same size.
(2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3A) Despite subclause (3), the minimum lot size for dwelling houses is 450 square metres.				
(3B) Despite subclause (3), if a lot is a battle-axe lot or other lot with an access handle and is on land in Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone B6 Enterprise Corridor, Zone B7 Business Park, Zone IN1 General Industrial and Zone IN2 Light Industrial, the minimum lot size excludes the area of the access handle.				
(3C) Despite subclauses (3) - (3B), the minimum lot size for development on land within the Former Lidcombe Hospital Site, as shown edged blue on the Lot Size Map, is as follows in relation to development for the purpose of:  (a) dwelling houses:  (i) 350 square metres, or  (ii) if a garage will be accessed from the rear of the property - 290 square metres, or  (iii) if the dwelling house will be on a zero lot line - 270 square metres,  (b) semi-detached dwellings - 270 square metres,  (c) multi dwelling housing - 170 square metres for each dwelling,				

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<p>(d) attached dwellings - 170 square metres.</p> <p>(4) This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>4.3 Height of buildings</b></p> <p>(1) The objectives of this clause are as follows:</p> <p>(a) to establish a maximum building height to enable appropriate development density to be achieved, and.</p> <p>(b) to ensure that the height of buildings is compatible with the character of the locality.</p> <p>(2) <b>The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.</b></p> <p>(2A) Despite subclause (2), the maximum height of office premises and hotel or motel accommodation is:</p> <p>(a) if it is within the Parramatta Road Precinct, as shown edged orange on the Height of Buildings Map—27 metres,</p> <p>(b) if it is on land within Zone B6 Enterprise Corridor within the Silverwater Road Precinct, as shown edged light purple on the Height of Buildings Map—14 metres.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The maximum height of buildings specific on the map is 9 metres.</p> <p>A variation is identified under Clause 4.3(2). In this regard, the existing buildings and structures on site rise as high as 21.9 metres.</p> <p>The plans show the new works being 6.5 metres high with a maximum height of 25 metres above the natural ground level.</p> <p>Refer to variations to standards discussion below at Clause 4.6 of the Auburn LEP.</p>
<p><b>4.4 Floor space ratio</b></p> <p>(1) The objectives of this clause are as follows:</p> <p>(a) To establish a maximum floor space ratio to enable appropriate development density to be achieved, and</p> <p>(b) To ensure that development intensity reflects its locality.</p> <p>(2) <b>The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.</b></p> <p>(2A) Despite subclause (2), the maximum floor space ratio for development for the purpose of multi dwelling housing on land other than land within the Former Lidcombe Hospital Site, as shown edged black on the Floor Space Ratio Map, is as follows:</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The maximum floor space ratio for buildings specific on the map is 0.75:1.</p> <p>A variation is identified under Clause 4.4(2). The existing buildings and structures on site have an approved floor space ratio of 2.32:1. This is based on an approved floor area of 13,022.32 square metres with reference made to development</p>

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<p>(a) for sites less than 1,300 square metres - 0.75:1,</p> <p>(b) for sites that are 1,300 square metres or greater but less than 1,800 square metres - 0.80:1,</p> <p>(c) for sites that are 1,800 square metres or greater - 0.85:1.</p> <p>(2B) Despite subclause (2), the maximum floor space ratio for the following development on land in Zone B6 Enterprise Corridor within the Parramatta Road Precinct, as shown edged orange on the Floor Space Ratio Map, is as follows:</p> <p>(a) 1.5:1 for bulky goods premises, entertainment facilities, function centres and registered clubs, and</p> <p>(b) 3:1 for office premises and hotel or motel accommodation.</p> <p>(2C) Despite subclause (2), the maximum floor space ratio for the following development on land in Zone B6 Enterprise Corridor within the Silverwater Road Precinct, as shown edged light purple on the Floor Space Ratio Map, is as follows:</p> <p>(a) 1.5:1 for bulky goods premises, entertainment facilities, function centres and registered clubs, and</p> <p>(b) 2:1 for office premises and hotel or motel accommodation.</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p><b>consent DA338/2010.</b></p> <p><b>New toilets are included in the subject application covering an area of 86 square metres.</b></p> <p><b>This will result in the floor area of the complex increasing to 13,108.32 square metres and a FSR of 2.336:1.</b></p> <p><b>The proposed increase is modest; however the increase results in a further variation.</b></p> <p><b>Refer to variations to standards discussion below at Clause 4.6 of the Auburn LEP.</b></p>
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<p><b>4.5 Calculation of floor space ratio and site area</b></p> <p><b>(1) Objectives</b></p> <p>The objectives of this clause are as follows:</p> <p>(a) to define <b>floor space ratio</b>,</p> <p>(b) to set out rules for the calculation of the site area of development for the purpose of applying permitted floor space ratios, including rules to:</p> <p>(i) prevent the inclusion in the site area of an area that has no significant development being carried out on it, and</p> <p>(ii) prevent the inclusion in the site area of an area that has already been included as part of a site area to maximise floor space area in another building, and</p> <p>(iii) require community land and public places to be dealt with separately.</p> <p><b>(2) Definition of "floor space ratio"</b></p> <p>The <b>floor space ratio</b> of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.</p> <p><b>(3) Site area</b></p> <p>In determining the site area of proposed development for the purpose of applying a floor space ratio, the <b>site area</b> is taken to be:</p> <p>(a) if the proposed development is to be carried out on only one lot, the area of that lot, or</p> <p>(b) if the proposed development is to be carried out on 2 or more lots, the area of any lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out.</p> <p>In addition, subclauses (4)–(7) apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development.</p> <p><b>(4) Exclusions from site area</b></p> <p>The following land must be excluded from the site area:</p> <p>(a) land on which the proposed development is prohibited, whether under this Plan or any other law,</p> <p>(b) community land or a public place (except as provided by subclause (7)).</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>Gross floor area calculations have been used to determine the floor space ratio. This includes the internal voids.</p>
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<p><b>(5) Strata subdivisions</b></p> <p>The area of a lot that is wholly or partly on top of another or others in a strata subdivision is to be included in the calculation of the site area only to the extent that it does not overlap with another lot already included in the site area calculation.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Strata subdivision is not proposed.</p>	
<p><b>(6) Only significant development to be included</b></p> <p>The site area for proposed development must not include a lot additional to a lot or lots on which the development is being carried out unless the proposed development includes significant development on that additional lot.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
<p><b>(7) Certain public land to be separately considered</b></p> <p>For the purpose of applying a floor space ratio to any proposed development on, above or below community land or a public place, the site area must only include an area that is on, above or below that community land or public place, and is occupied or physically affected by the proposed development, and may not include any other area on which the proposed development is to be carried out.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
<p><b>(8) Existing buildings</b></p> <p>The gross floor area of any existing or proposed buildings within the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p>Gross floor area calculations have been used to determine the floor space ratio. This includes the internal voids and wall thicknesses.</p>
<p><b>(9) Covenants to prevent "double dipping"</b></p> <p>When consent is granted to development on a site comprised of 2 or more lots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
<p><b>(10) Covenants affect consolidated sites</b></p> <p>If:</p> <p>(a) a covenant of the kind referred to in subclause (9) applies to any land (<b>affected land</b>), and</p> <p>(b) proposed development relates to the affected land and other land that</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		

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<p>together comprise the site of the proposed development,</p> <p>the maximum amount of floor area allowed on the other land by the floor space ratio fixed for the site by this Plan is reduced by the quantity of floor space area the covenant prevents being created on the affected land.</p> <p><b>(11) Definition</b></p> <p>In this clause, <b>public place</b> has the same meaning as it has in the <i>Local Government Act 1993</i>.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>4.6 Exceptions to development standards</b></p> <p><b>(1) The objectives of this clause are:</b></p> <p>(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and</p> <p>(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.</p> <p><b>(2) Consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.</b></p> <p><b>(3) Consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:</b></p> <p>(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and</p> <p>(b) that there are sufficient environmental planning grounds to justify contravening the development standard.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A variation to development standards is sought as detailed at Clause 4.3 and 4.4 above in relation to height and floor space ratio.</p> <p>The development proposal will rely on this exceptions clause to gain development consent.</p> <p>The application is supported by a written request to vary development standards relating to FSR and building height.</p> <p>The written submission provided by the applicant indicates that compliance with the standard is unnecessary in the circumstances of the case and identifies the following environmental planning grounds to justify the proposed contravention of the standard:</p> <p><u>Height</u></p> <p>The structures proposed on the roof top over Building B are similar in material and colour to the ones used for the existing roof top play area over Building C. The impact from such structures will be minimal due to the transparent nature of those structures.</p>

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<p>(4) Consent must not be granted for</p>			<p>Contrary to the illustrative nature of the submitted drawings, a visual inspection of the existing rooftop play area over Building C would clearly demonstrate the lack of visual impact that the structures used to enclose the play area and the perceived height of the building.</p> <p>It is important to assess the proposed development against the objectives of such controls. The proposed enclosure of the roof top play area will not result in additional density or result in the accommodation of additional students. The proposal is to provide additional amenities to the existing student population. The objectives are therefore satisfied.</p> <p>The proposed enclosure of the roof top play area will have minimal impact on the perceived bulk and scale of the existing building.</p> <p><u>FSR</u></p> <p>The proposed enclosure of the roof top play area will not result in additional floor space ratio.</p> <p>The addition of the toilets will result in a minimal addition to the floor space ratio. The objective of the floor space ratio is to control bulk and scale of the proposed development. Due to the proposed location of the additional toilets with one on the roof top and one in the playground, the toilets will have minimal impact on bulk and scale of the existing building. The proposal complies with the objectives.</p> <p>The proposed development will not result in further intensification of the existing use. It is only to provide additional amenities to the existing student population. The proposal complies with the objective.</p>
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<p>development that contravenes a development standard unless:</p> <p>(a) the consent authority is satisfied that:</p> <p>(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and</p> <p>(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and</p> <p>(b) the concurrence of the Director-General has been obtained.</p>	<input checked="" type="checkbox"/>      <input type="checkbox"/>      <input type="checkbox"/>	<input type="checkbox"/>      <input type="checkbox"/>	<input type="checkbox"/>      <input checked="" type="checkbox"/>	<p>It is considered that the applicant's written submission adequately addresses the relevant matters raised in subclause 3 above and the suitable environmental planning grounds have been identified to justify the proposed variation to development standards.</p> <p>In view of the justification provided by the applicant, it is considered that the variation to the development standards relating to height and FSR would be in the public interest and is consistent with the objectives of the zone.</p> <p>The concurrence of the Director General is assumed in accordance with Planning Circular PS 08-003 issued 9 May 2008.</p>
<p>(5) In deciding whether to grant concurrence, the Director-General must consider:</p> <p>(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and</p> <p>(b) the public benefit of maintaining the development standard, and</p> <p>(c) any other matters required to be taken into consideration by the Director-General before granting concurrence.</p>	<input type="checkbox"/>    <input checked="" type="checkbox"/>	<input type="checkbox"/>    <input type="checkbox"/>	<input checked="" type="checkbox"/>    <input type="checkbox"/>	
<p>(6) Not applicable</p>				
<p>(7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).</p>				
<p>(8) This clause does not allow consent to be granted for development that would contravene any of the following:</p> <p>(a) a development standard for complying development,</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

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<p><b>(b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> applies or for the land on which such a building is situated,</b></p> <p><b>(c) clause 5.4.</b></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>Part 5 Miscellaneous provisions</b>				
<p><b>5.4 Controls relating to miscellaneous permissible uses</b></p> <p><b>(1) Bed and breakfast accommodation</b> If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 3 bedrooms.</p> <p><b>(2) Home businesses</b> If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 30 square metres of floor area.</p> <p><b>(3) Home industries</b> If development for the purposes of a home industry is permitted under this Plan, the carrying on of the light industry must not involve the use of more than 30 square metres of floor area.</p> <p><b>(4) Industrial retail outlets</b> If development for the purposes of an industrial retail outlet is permitted under this Plan, the retail floor area must not exceed: (a) 30 % of the combined gross floor area of the industrial retail outlet and the building or place on which the relevant industry is carried out, or (b) 400 square metres, whichever is the lesser.</p> <p><b>(5) Farm stay accommodation</b> If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 3 bedrooms.</p> <p><b>(6) Kiosks</b> If development for the purposes of a kiosk is</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The clause is not applicable to the development application.</p>

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<p>permitted under this Plan, the gross floor area must not exceed 10 square metres.</p> <p><b>(7) Neighbourhood shops</b></p> <p>If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed 80 square metres.</p> <p><b>(8) Roadside stalls</b></p> <p>If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed 8 square metres.</p> <p><b>(9) Secondary dwellings</b></p> <p>If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater:</p> <p>(a) 60 square metres, (b) 20% of the total floor area of both the self-contained dwelling and the principal dwelling.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>5.6 Architectural roof features</b></p> <p>(1) The objectives of this clause are:</p> <p>(a) To ensure that any decorative roof element does not detract from the architectural design of the building, and</p> <p>(b) To ensure that prominent architectural roof features are contained within the height limit.</p> <p>(2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with consent.</p> <p>(3) Development consent must not be granted to any such development unless the consent authority is satisfied that:</p> <p>(a) the architectural roof feature:</p> <p>(i) comprises a decorative element on the uppermost portion of a building, and</p> <p>(ii) is not an advertising structure, and</p> <p>(iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and</p> <p>(iv) will cause minimal</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The roof of the toilet blocks are satisfactory and are commensurate with the type of development proposed. No objections are raised to the roof elements of the toilet blocks.</p> <p>Decorative roof elements are not proposed.</p>

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<p>overshadowing, and</p> <p>(b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.</p>				
<p><b>5.9 Preservation of trees or vegetation</b></p> <p>(1) The objective of this clause is to preserve the amenity of the area through the preservation of trees and other vegetation.</p> <p>(2) This clause applies to species or kinds of trees or other vegetation that are prescribed for the purposes of this clause by a development control plan made by the Council.</p> <p><b>Note.</b> A development control plan may prescribe the trees or other vegetation to which this clause applies by reference to species, size, location or other manner.</p> <p>(3) A person must not ring bark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by:</p> <p>(a) development consent, or</p> <p>(b) a permit granted by the Council.</p> <p>(4) The refusal by the Council to grant a permit to a person who has duly applied for the grant of the permit is taken for the purposes of the Act to be a refusal by the Council to grant consent for the carrying out of the activity for which a permit was sought.</p> <p>(5) This clause does not apply to a tree or other vegetation that the Council is satisfied is dying or dead and is not required as the habitat of native fauna.</p> <p>(6) This clause does not apply to a tree or other vegetation that the Council is satisfied is a risk to human life or property.</p> <p>(7) A permit under this clause cannot allow any ringbarking, cutting down, topping, lopping, removal, injuring or destruction of a tree or other vegetation:</p> <p>(a) that is or forms part of a heritage item, or</p> <p>(b) that is within a heritage conservation area.</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>There are no significant trees to be removed.</p>

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<p><b>Note.</b> As a consequence of this subclause, the activities concerned will require development consent. The heritage provisions of clause 5.10 will be applicable to any such consent.</p> <p>(8) This clause does not apply to or in respect of:</p> <p>(a) the clearing of native vegetation that is authorised by a development consent or property vegetation plan under the <i>Native Vegetation Act 2003</i> or that is otherwise permitted under Division 2 or 3 of Part 3 of that Act, or</p> <p>(b) the clearing of vegetation on State protected land (within the meaning of clause 4 of Schedule 3 to the <i>Native Vegetation Act 2003</i>) that is authorised by a development consent under the provisions of the <i>Native Vegetation Conservation Act 1997</i> as continued in force by that clause, or</p> <p>(c) trees or other vegetation within a State forest, or land reserved from sale as a timber or forest reserve under the <i>Forestry Act 1916</i>, or</p> <p>(d) action required or authorised to be done by or under the <i>Electricity Supply Act 1995</i>, the <i>Roads Act 1993</i> or the <i>Surveying Act 2002</i>, or</p> <p>(e) plants declared to be noxious weeds under the <i>Noxious Weeds Act 1993</i>.</p>				
<p><b>5.10 Heritage conservation</b></p> <p><b>Note.</b> Heritage items, heritage conservation areas and archaeological sites (if any) are shown on the Heritage Map. The location and nature of any such item, area or site is also described in Schedule 5.</p> <p><b>(1) Objectives</b></p> <p>The objectives of this clause are:</p> <p>(a) to conserve the environmental heritage of Auburn, and</p> <p>(b) to conserve the heritage significance of heritage items and heritage conservation areas including associated fabric, settings and views, and</p> <p>(c) to conserve archaeological sites, and</p> <p>(d) to conserve places of Aboriginal heritage significance.</p> <p><b>(2) Requirement for consent</b></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Auburn Uniting Church located on the corner of Harrow Road to the west and Helena Road to the south (Number 121) adjoins the site to the south and west.</p> <p>The Uniting Church was built in 1910 and is a local heritage feature.</p> <p>The Uniting Church and adjacent Victory Hall have local historic and social significance for the evidence they provide of the nature of suburban development in the inter war period.</p> <p><u>Applicants response:</u></p> <p>The proposal is sited such that the current setbacks to the heritage item are maintained. The proposed works are located within</p>

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<p>Development consent is required for any of the following:</p> <ul style="list-style-type: none"> <li>(a) demolishing or moving a heritage item or a building, work, relic or tree within a heritage conservation area,</li> <li>(b) altering a heritage item or a building, work, relic, tree or place within a heritage conservation area, including (in the case of a building) making changes to the detail, fabric, finish or appearance of its exterior,</li> <li>(c) altering a heritage item that is a building by making structural changes to its interior,</li> <li>(d) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,</li> <li>(e) disturbing or excavating a heritage conservation area that is a place of Aboriginal heritage significance,</li> <li>(f) erecting a building on land on which a heritage item is located or that is within a heritage conservation area,</li> <li>(g) subdividing land on which a heritage item is located or that is within a heritage conservation area.</li> </ul> <p><b>(3) When consent not required</b></p> <p>However, consent under this clause is not required if:</p> <ul style="list-style-type: none"> <li>(a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development: <ul style="list-style-type: none"> <li>(i) is of a minor nature, or is for the maintenance of the heritage item, archaeological site, or a building, work, relic, tree or place within a heritage conservation area, and</li> <li>(ii) would not adversely affect the significance of the heritage item, archaeological site or heritage conservation area, or</li> </ul> </li> <li>(b) the development is in a cemetery or burial ground and the proposed development: <ul style="list-style-type: none"> <li>(i) is the creation of a new grave or monument, or excavation or</li> </ul> </li> </ul>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>	<p><input checked="" type="checkbox"/></p>	<p>the footprint created by the Al Faisal College.</p> <p>The form of the proposed works will be apparent as a relatively simple upward extension of the existing wall planes although transparent.</p> <p>The character of the proposal is consistent with that of structures associated with sports facilities such as that found at for example, the State Sports Centre and Olympic facilities at Homebush Bay.</p> <p>The colours to be used are likely to be light grey given that it will be seen against the sky.</p> <p>The texture and materials are consistent with the modern expression used and consist of a chain wire and a support frame with the fabric canopy structures in sail cloth.</p> <p>The Al Faisal College is established in Auburn Road and has a presence in Harrow Road within the visual catchment of the Uniting Church at the corner of Helena Street and Harrow Road. The proposed works are a relatively transparent and visually lightweight structure to the roof of the more solid college building.</p> <p>There will be obvious changes to the setting of the heritage item simply by virtue of the upward extension of the existing building. The relatively low degree of solidity in the proposed structures and their differentiated expression will mean that the built form impacts will be slight.</p> <p><u>Planners comment:</u></p> <p>The last paragraph is specific to what the impact will be. The setting of the heritage item will be altered further due to the upward extension proposed but the impacts will not be significant. The works involve the use of lightweight structures on the college site.</p> <p>Generally the direct impact to the church itself is negligible.</p>
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<p>disturbance of land for the purpose of conserving or repairing monuments or grave markers, and</p> <p>(ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to a place of Aboriginal heritage significance, or</p> <p>(c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or</p> <p>(d) the development is exempt development.</p> <p><b>Note.</b> For land known as Rookwood Cemetery zoned SP1 Cemetery, development consent from, and notification to, the consent authority is not required under this plan for the further use of an existing grave site or crypt within a graveyard that is a heritage item, provided the heritage significance of the item is not adversely affected.</p>				
<p><b>(4) Effect on heritage significance</b></p> <p>The consent authority must, before granting consent under this clause, consider the effect of the proposed development on the heritage significance of the heritage item or heritage conservation area concerned. This subclause applies regardless of whether a heritage impact statement is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The works proposed will not have a direct impact on the church building.</p>
<p><b>(5) Heritage impact assessment</b></p> <p>The consent authority may, before granting consent to any development on land:</p> <p>(a) on which a heritage item is situated, or</p> <p>(b) within a heritage conservation area, or</p> <p>(c) within the vicinity of land referred to in paragraph (a) or (b),</p> <p>require a heritage impact statement to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A heritage impact assessment prepared by Greg Patch Architect / Heritage Consultant has been submitted to support the development application.</p> <p>It is concluded that other than a change to the setting of the locality, the church building is not affected by the proposed works.</p>
<p><b>(6) Heritage conservation management plans</b></p> <p>The consent authority may require, after considering the significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>(7) Archaeological sites</b></p>				

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<p>The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the <i>Heritage Act 1977</i> applies):</p> <p>(a) notify the Heritage Council of its intention to grant consent, and</p> <p>(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>(8) Places of Aboriginal heritage significance</b></p> <p>The consent authority must, before granting consent under this clause to the carrying out of development in a place of Aboriginal heritage significance:</p> <p>(a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place, and</p> <p>(b) notify the local Aboriginal communities (in such way as it thinks appropriate) about the application and take into consideration any response received within 28 days after the notice is sent.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>(9) Demolition of item of State significance</b></p> <p>The consent authority must, before granting consent for the demolition of a heritage item identified in Schedule 5 as being of State significance (other than an item listed on the State Heritage Register or to which an interim heritage order under the <i>Heritage Act 1977</i> applies):</p> <p>(a) notify the Heritage Council about the application, and</p> <p>(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>(10) Conservation incentives</b></p> <p>The consent authority may grant consent to development for any purpose of a building that is a heritage item, or of the land on which such a building is erected, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:</p> <p>(a) the conservation of the heritage item is facilitated by the granting of consent, and</p> <p>(b) the proposed development is in</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	



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<p>accordance with a heritage conservation management plan that has been approved by the consent authority, and</p> <p>(c) the consent to the proposed development would require that all necessary conservation work identified in the heritage conservation management plan is carried out, and</p> <p>(d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, and</p> <p>(e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.</p>																
<b>Part 6 Additional local provisions</b>																
<b>6.1 Acid sulfate soils</b>																
<p>(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.</p> <p>(2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.</p>	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>	<p>The land is given a Class 5 rating. Acid sulphate soils are not considered to be a significant issue.</p>												
<table border="1"> <thead> <tr> <th data-bbox="225 1256 336 1317">Class</th> <th data-bbox="336 1256 756 1317">Works of land</th> </tr> </thead> <tbody> <tr> <td data-bbox="225 1317 336 1368">1</td> <td data-bbox="336 1317 756 1368">Any works.</td> </tr> <tr> <td data-bbox="225 1368 336 1503">2</td> <td data-bbox="336 1368 756 1503">Works below the natural ground surface. Works by which the watertable is likely to be lowered.</td> </tr> <tr> <td data-bbox="225 1503 336 1682">3</td> <td data-bbox="336 1503 756 1682">Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.</td> </tr> <tr> <td data-bbox="225 1682 336 1883">4</td> <td data-bbox="336 1682 756 1883">Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.</td> </tr> <tr> <td data-bbox="225 1883 336 2078">5</td> <td data-bbox="336 1883 756 2078">Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum by which the watertable is likely to be lowered below 1 metre Australian Height</td> </tr> </tbody> </table>	Class	Works of land	1	Any works.	2	Works below the natural ground surface. Works by which the watertable is likely to be lowered.	3	Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.	4	Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.	5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum by which the watertable is likely to be lowered below 1 metre Australian Height				
Class	Works of land															
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5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum by which the watertable is likely to be lowered below 1 metre Australian Height															

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Datum on adjacent Class 1, 2, 3 or 4 land.				
(3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) Despite subclause (2) Development consent is not required under this clause for the carrying out of works if:  (a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and  (b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No significant excavation is proposed.
(5) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power):  (a) emergency work, being the repair or replacement of the works of the public authority required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety,  (b) routine management work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),  (c) minor work, being work that costs less than \$20,000 (other than drainage work).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(6) Despite subclause (2), development consent is not required under this clause to carry out any works if:  (a) the works involve the disturbance of more than 1 tonne of soil, such as occurs in carrying out agriculture, the construction or maintenance of drains, extractive industries, dredging, the construction of artificial water	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

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<p>bodies (including canals, dams and detention basins) or foundations, or flood mitigation works, or</p> <p>(b) the works are likely to lower the water table.</p>				
<p><b>6.2 Earthworks</b></p> <p>(1) The objectives of this clause are as follows:</p> <p>(a) to ensure that earthworks for which a development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses or heritage items and features of the surrounding land,</p> <p>(b) to allow earthworks of a minor nature without separate development consent.</p> <p>(2) Development consent is required for earthworks, unless:</p> <p>(a) the work does not alter the ground level (existing) by more than 600 millimetres, or</p> <p>(b) the work is exempt development under this Plan or another applicable environmental planning instrument, or</p> <p>(c) the work is ancillary to other development for which development consent has been given.</p> <p>(3) Before granting development consent for earthworks, the consent authority must consider the following matters:</p> <p>(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,</p> <p>(b) the effect of the proposed development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or of the soil to be excavated, or both,</p> <p>(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of any fill material and the destination of any excavated material,</p> <p>(f) the likelihood of disturbing relics,</p> <p>(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.</p> <p><b>Note.</b> The <i>National Parks and Wildlife Act 1974</i>, particularly section 86, deals with disturbing or excavating land and Aboriginal objects.</p>	<p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>No significant excavation is required. There will be a need to level an area of land within the playground to support a new toilet block facility. The works are limited to the surface of the land.</p> <p>The works do not alter the ground level by more than 300 mm.</p> <p>Council's Drainage and Development Engineer has raised no significant issues with the development proceeding. However a number of conditions will be required to any consent that may be issued.</p> <p>Hence drainage patterns and overland flow path issues have been considered.</p>



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Environmental Plan 2010 Flood Planning Map.				
<p><b>6.5 Essential Services</b></p> <p>(1) Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:</p> <p>(a) the supply of water,</p> <p>(b) the supply of electricity,</p> <p>(c) the disposal and management of sewage.</p> <p>(d) stormwater drainage or on-site conservation,</p> <p>(e) suitable road access.</p> <p>(2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any essential service referred to in this clause.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All necessary services are provided to the site.
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

**7. The provisions of any Draft Environmental Planning Instruments (EP& A Act s79C(1)(a)(ii))**

There are no draft planning instruments that need to be addressed under this heading.

**8. The provisions of any Development Control Plans (EP& A Act s79C(1)(a)(iii))**

The following parts of the auburn Development Control Plans are applicable to the development:-

Stormwater Drainage:

The relevant requirements and objectives of the Stormwater Drainage Development Control Plan have been considered in the assessment of the development application. Stormwater plans have been provided with the application and found to be suitable for approval. Appropriate conditions have been provided by Council's Drainage and Development Engineer that addresses stormwater drainage.

Access and Mobility Development Control Plan:

The relevant requirements and objectives of the Access and Mobility Development Control Plan have been considered in the assessment of the development application.

Generally all the levels are accessible via lifts and people with disabilities can access the amenities to be provided. Accessible amenities are already provided throughout the building. The new toilet on the roof level includes an accessible toilet facility

**Development Contributions Plan 2007 - Section 94 Contributions**

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In accordance with Section 3.6 of the Development Contributions Plan 2007 and previous development consent history, the development does not require the payment of contributions in accordance with the exemptions section of Council's Section 94 Contributions Plans.

### **Disclosure of Political Donations and Gifts**

The NSW Government introduced The Local Government and Planning Legislation Amendment (Political Donations) Act 2008 (NSW). This disclosure requirement is for all members of the public relating to political donations and gifts. The law introduces disclosure requirements for individuals or entities with a relevant financial interest as part of the lodgement of various types of development proposals and requests to initiate environmental planning instruments or development control plans.

The applicant and notification process did not result in any disclosure of Political Donations and Gifts.

### **The provisions of the Regulations (EP& A Act s79C(1)(a)(iv))**

The proposed development raises no concerns as to the relevant matters arising from the EP& A Regulations 2000.

### **The Likely Environmental, Social or Economic Impacts (EP& A Act s79C(1)(b))**

It is considered that the proposed development will have no significant adverse environmental, social or economic impacts in the locality.

### **The suitability of the site for the development (EP&A Act s79C(1)(c))**

The subject site and locality is not known to be affected by any natural hazards or other site constraints likely to have a significant adverse impact on the proposed development. Accordingly, the site can be said to be suitable to accommodate the proposal. The proposed development has been assessed in regard to its environmental consequences and having regard to this assessment, it is considered that the development is suitable in the context of the site and surrounding locality.

### **Submissions made in accordance with the Act or Regulation (EP&A Act s79C(1)(d))**

Advertised (newspaper)  Mail  Sign  Not Required

In accordance with Council's Notification of Development Proposals Development Control Plan, the proposal was publicly exhibited for a period of 14 days between 12 April and 27 April 2011. There were no submissions to the proposed works that are sought.

### **The public interest (EP& A Act s79C(1)(e))**

The public interest is served by permitting the orderly and economic development of land, in a manner that is sensitive to the surrounding environment and has regard to the reasonable amenity expectations of surrounding land users. In view of the foregoing analysis it is considered that the development, if carried out subject to the conditions set out in the recommendation below, will have no significant adverse impacts on the public interest.

### **Conclusion**

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The development application has been assessed in accordance with the relevant requirements of the Environmental Planning and Assessment Act 1979.

The proposed development is appropriately located within the R3 Medium Density Residential Zone under the provisions of the Auburn Local Environmental Plan 2010, however variations in relation to Clause 4.3 and 4.4 under the planning instrument are sought. The proposed variations are permitted by virtue of Clause 4.6 of the Auburn LEP and it is recommended that these variations be supported.

Having regard to the assessment of the proposal from a merit perspective, Council may be satisfied that the development has been responsibly designed and provides for acceptable levels of amenity within the locality. It is considered that the proposal successfully minimises adverse impacts on the amenity of neighbouring properties. Hence the development, irrespective of the departures noted above, is consistent with the intentions of Council's planning controls and represents a form of development contemplated by the relevant statutory and non statutory controls applying to the land.

For these reasons, it is considered that the proposal is satisfactory having regard to the matters of consideration under Section 79C of the Environmental Planning and Assessment Act, 1979, and the development may be approved subject to conditions.

**ATTACHMENTS (to be circulated to Councillors under separate cover)**

<b>Plan Number</b>	<b>Date</b>	<b>Prepared By</b>	<b>Trim Number</b>
DA-01A Site Analysis Plan	23/3/2011	Millennium Design Consultants Pty Ltd	23080/2011
DA-03A Ground Floor Plan	23/3/2011	Millennium Design Consultants Pty Ltd	23082/2011
DA-04A First Floor Plan	23/3/2011	Millennium Design Consultants Pty Ltd	23083/2011
DA07A Roof Plan	23/3/2011	Millennium Design Consultants Pty Ltd	23087/2011
DA-08A Sections and Elevations	23/3/2011	Millennium Design Consultants Pty Ltd	23088/2011
DA-09A Sections and Elevations	23/3/2011	Millennium Design Consultants Pty Ltd	23089/2011

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**211/11 Planning Proposal PP-2/2010 - 1A/1B Queen Street, Auburn**

PP-2/2010 AK : EG

**SUMMARY**

Submission of a Planning Proposal to rezone land at 1A/1B Queen Street, Auburn.

**RECOMMENDATION**

*That in relation to land at 1A/1B Queen Street, Auburn, that Council resolve:*

1. *To prepare a planning proposal to:*
  - a) *Rezone the land from IN2 Light Industrial zone to the R4 High Density Residential zone,*
  - b) *Apply a 2.4:1 floor space ratio, and*
  - c) *Apply 33.4 metre maximum building height, and*
2. *To submit the Planning Proposal to the Department of Planning and Infrastructure pursuant to Section 55 of the Environmental Planning and Assessment Act 1979.*
3. *To amend Auburn DCP 2010 so that the proponent can prepare site specific development controls that ensure the delivery of the development concept as per the proponent's planning proposal and that this be exhibited at the same time the planning proposal is exhibited.*
4. *To negotiate with the proponent the potential for a voluntary planning agreement as part of the planning proposal process to provide direct access between the site and Wyatt Park vicinity.*

**REPORT**

On 20 May 2011, a Planning Proposal was submitted to Auburn City Council as the relevant planning authority (RPA) which affects land at 1A/1B Queen Street, Auburn. The proposal, prepared by Urbis Pty Ltd on behalf of their client EG Funds Management (both referred to here as "the applicant"), seeks to rezone the subject site and increase development standards for building height and floor space ratios (FSRs).

Specifically, the applicant seeks the following:

- To rezone the land from the IN2 Light Industrial zone to the R4 High Density Residential zone;
- To amend the Height of Buildings Map to apply a maximum building height of 34 metres (9 storeys) which is higher than the standard 16 metre (4 storey) maximum building height control for the R4 zone; and
- To amend the Floor Space Ratio Map to apply a maximum FSR of 2.4:1 – a significant increase from the standard 1.4:1 FSR control for the R4 zone.



Planning Proposal PP-2/2010 - 1A/1B Queen Street, Auburn (cont'd)

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The application aims to enable the construction of 800-850 apartments over seven (7) buildings comprising low- and mid-rise development.

The Department of Planning and Infrastructure (DP&I) requires the RPA to "consider the planning proposal". This Assessment Report constitutes that consideration.

### **ASSESSMENT REPORT**

The aim of this Assessment Report is to provide a rigorous and thorough planning assessment of the proponent's Planning Proposal in accordance with the NSW planning framework which considers local and state government considerations.

The Assessment Report:

- Summarises the intent of the Planning Proposal;
- Provides an assessment of the Planning Proposal against relevant State, regional and local plans and policies;
- Responds to the Department of Planning guidelines for local plan making; and
- Provides a recommendation to Council based on the outcome of the Proposal's assessment.

The Assessment Report assesses the Planning Proposal against plans, policies and legislation of the NSW Government and plans, policies of Auburn City Council considering both State a local issues. The Assessment Report is contained in Appendix 1 to this Council report.

### **CONCLUSION**

The Planning Proposal is determined as appropriate for the following reasons:

1. The location of the subject site is well-placed for high density development being immediately adjacent to the Auburn Town Centre commercial core. This gives the site excellent proximity (550 metres) to the Auburn Railway Station and bus node and to existing services and facilities.
2. The proposed R4 zone is compatible with the surrounding B4 Mixed Use zone in the Auburn Town Centre commercial core and the surrounding R3 Medium Density Residential zone.
3. The zone is consistent with the Department's intentions to re-categorise the land from Category 2 to Category 3, supporting it's the rezoning to a non-employment zone.
4. The subject land is in the sole ownership of the applicant.
5. The proposed maximum building height of 33.4 metres (9 storeys) and accompanying lower heights of 4 and 5 and 7 and 8 storeys is compatible with the surrounding 5, 4 and 2 storey developments.
6. The proposed maximum building height does not compete with any nearby Strategic Centre.

Planning Proposal PP-2/2010 - 1A/1B Queen Street, Auburn (cont'd)

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7. The increase in the development standards from the standard 1.4:1 FSR and 16 metre maximum building height is supported because of the strategic nature of the site.
8. The Planning Proposal's development concept (achieved by way of the proposed maximum building height and FSR):
  - a) is not excessive scale and is compatible with the surrounding low density residential land use, nor will it dominate the streetscape.
  - b) will provide an adequate transition between land uses.

This scale will be protected via site-specific DCP development controls.

9. The Proposal is not likely to result in unacceptable impacts to the local community through excessive traffic volumes, impact on intersections, poor transition to adjacent land use, overshadowing, noise and loss of amenity.
10. There is opportunity for a clear community benefit from the proposal – the provision of direct access between the site and Wyatt Park.

**ATTACHMENTS (to be circulated to Councillors under separate cover)**

1. 1A/1B Queen Street Assessment Report - T054267/2011

## AUBURN CITY COUNCIL

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**212/11          Amendment to Auburn Development Control Plan 2010  
(Amendment No. 2) - Number of Storeys Control**

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D-90-01          AK: EG

### SUMMARY

This report seeks to amend Auburn Development Control Plan 2010 to the development controls pertaining to building envelope which affect commercial zones, namely the B1 Neighbourhood Centre, B2 Local Centre and B4 Mixed Use zone. The amendments to the DCP will not require any amendments to ALEP 2010.

### RECOMMENDATION

- 1.    *That Council resolve to amend the Local Centres Part, of the Auburn DCP 2010 Auburn, pursuant to Section 74C of Environmental Planning and Assessment Act 1979.***
- 2.    *That a further report be bought back to Council to seek a resolution for the exhibition and that the report include the draft DCP.***

### REPORT

Clauses 4.3 and 4.4 along with the Height of Buildings and Floor Space Ratio Maps in *Auburn Local Environmental Plan 2010 (ALEP 2010)* provide the key controls which assist in delivering the building envelope for commercial and mixed use development in Councils local centres.

The preferred urban design outcome is to ensure the maximum building height controls are achieved in the first instance (for both commercial buildings and mixed use development buildings) in order to create a height consistency across Council's local centres, as per the Height of Buildings Map in *ALEP 2010*, particularly for the Auburn and Lidcombe Town Centres.

At present, the number of storeys controls held in the Local Centres Part of Auburn Development Control Plan are inhibiting mixed use development (i.e. commercial development mixed with residential development) by preventing the maximum building height from being realised. The controls are extracted below:

Amendment to Auburn Development Control Plan 2010 (Amendment No. 2) - Number of Storeys Control (cont'd)

**2.1 Number of storeys**

**D1** The maximum number of storeys shall be as per the table below:

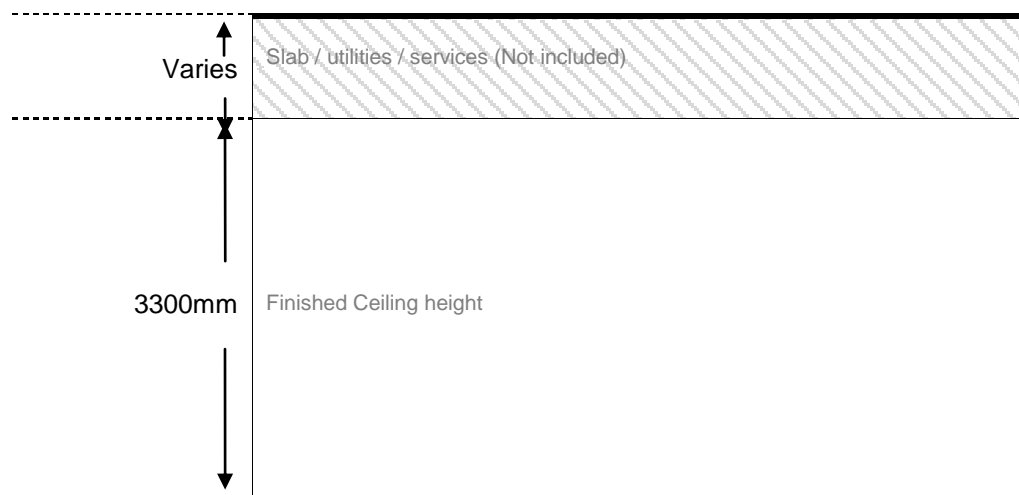
**Table 1 – Number of storeys**

<b>ALEP 2010 maximum building height</b>	<b>Maximum number of storeys</b>
<b>B1 Neighbourhood Centre zone</b>	
14 metres (excluding Wentworth Point Neighbourhood Centre)	3 storeys
17 metres (Wentworth Point Neighbourhood Centre only)	4 storeys
<b>B2 Local Centre zone</b>	
14 metres (excluding Newington Small Village)	3 storeys
16 metres (Newington Small Village only)	3 storeys
<b>B4 Mixed Use zone</b>	
18 metres	4 storeys
27 metres	6 storeys
32 metres	8 storeys
36 metres	9 storeys

(Source: Development Control D1 in Section 2.1 of Local Centres Part, ADCP 2010)

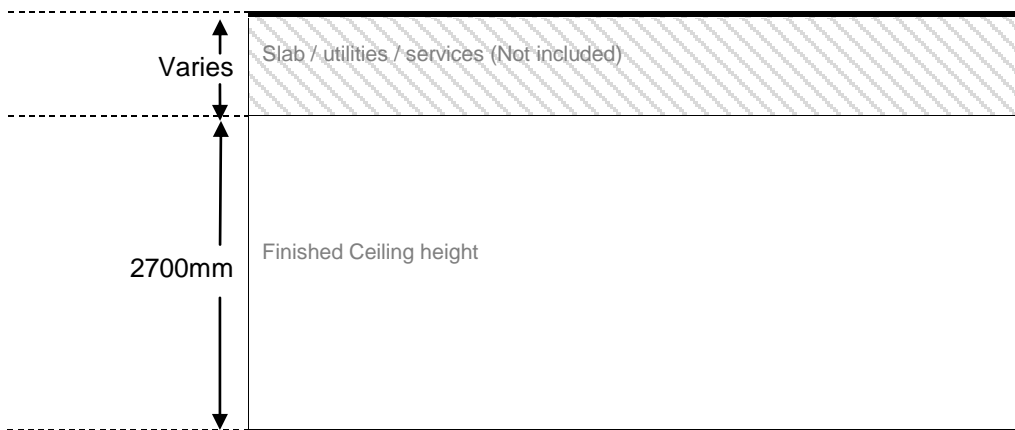
The discrepancy occurs because the finished ceiling heights (FCL), which is the height from the finished floor to the finished ceiling, are higher for commercial development than they are for residential development. Refer to diagrams 1 and 2 below which illustrate the different FCLs for each development type. These are based on the *State Environmental Planning Policy No 65 - Design Quality of Residential Flat Development*.

**Diagram 1: FCL – Commercial development**



Amendment to Auburn Development Control Plan 2010 (Amendment No. 2) - Number of Storeys Control (cont'd)

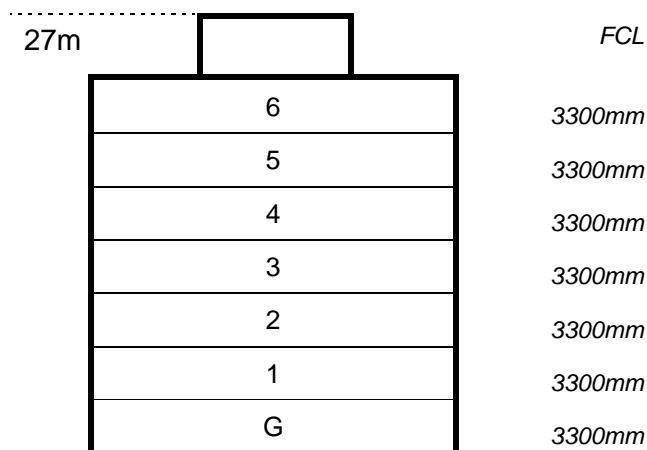
**Diagram 2: FCL – Residential Component of Mixed Use Development**



The above diagrams illustrate that the FCL for residential development is lower (at 2700mm) than the FCL for commercial development (at 3300mm).

In the case of the existing 27 metre height limit in the *ALEP 2010* which has an accompanying Number of Storey control in the ADCP 2010 of 6 storeys, this development can actually achieve 8 to 9 storeys and still remain within the maximum building height and floor space ratio controls held within the *ALEP 2010*. (Note: the increase in the number of storeys is also attributable to necessary side-setback controls for the residential development component of a mixed use development). Diagrams 3 and 4 below illustrate these points.

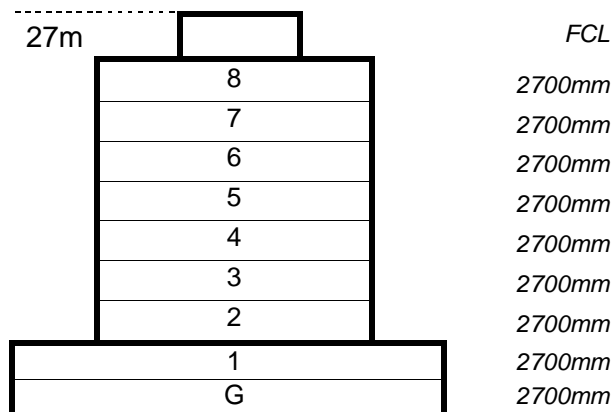
**Diagram 3 - Commercial development**



Amendment to Auburn Development Control Plan 2010 (Amendment No. 2) - Number of Storeys Control (cont'd)

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**Diagram 4 - Mixed Use Development**



The Number of Storeys controls in the ADCP 2010 is problematic for mixed use development. It means the ADCP 2010 is inhibiting development from achieving the maximum height controls in the *ALEP 2010*. This could be problematic from a legal perspective because it may mean that the ADCP 2010 is not consistent with section 74C(5) of the *Environmental Planning and Assessment Act 1979* which states:

*(5) A provision of a development control plan (whenever made) has no effect to the extent that...(b) it is inconsistent with a provision of any such instrument or its application prevents compliance with a provision of any such instrument.*

**CONCLUSION**

It is therefore, recommended that the development control D1 in Section 2.1 of Local Centres Part, ADCP 2010 be revised to provide more clarity for mixed use development and that a report come back to Council recommending exhibition of the amendment which details the changes.

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**213/11      June 2011 Quarter Review of the 2010/2011 Management Plan**

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L-22-04/05      AK : MW

**SUMMARY**

Reporting on the June 2011 Quarter Review of the 2010/2011 Management Plan.

**RECOMMENDATION**

1. *That the report be received and the information therein noted.*
2. *That the June 2011 Quarter Review of Management Plan for 2010/2011 be hereby noted and approved.*

**REPORT**

Section 407(1) of the *Local Government Act 1993* requires the General Manager to report to the Council after the end of each quarter as to the extent to which the performance targets set by the Council's current Management Plan have been achieved during that quarter.

The Management Plan details seven principal activities, also referred to as key directions. Under each key direction are the strategic objectives which are further broken down into performance targets. These performance targets are measured by outcomes. The Management Plan provides direct links to the key directions detailed in Auburn 2030.

To fulfil requirements of Section 407 of the *Local Government Act 1993*, a table report detailing the progress on each of the performance target articulated in the Management Plan forms part of this report.

The quarter review reports on progress in that quarter (i.e. April to June 2011) against the performance targets for each strategic objective which are detailed in the Management Plan. They are also reported in the same format as the Management Plan.

**ATTACHMENTS**

1. June 2011 Quarter Review of the 2010/2011 Management Plan

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 June 2011 Quarter Review of the 2010/2011 Management Plan (cont'd)
 

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## Management Plan 2010/2011 Performance

Period: June 2011

Record Category	Code	Name	Start Date	Target Date	Performance	RO
<b>Key Direction</b> <b>KD.1 An Inclusive and Culturally Engaging Auburn</b>						
<b>Strategic Objective</b> <b>SO.1.1 Our community actively participates in the decision making and development of Auburn</b>						
✓	1.1.PT01	Auburn Youth Strategy	01-Jul-10	30-Jun-11	100%	CDC
<b>Progress Comments</b> <ul style="list-style-type: none"> <li>The third edition of the 'Youth in the Know' booklet compiled and disseminated. The booklet aims to increase young people's knowledge of activities/services available to them in the Auburn LGA. It includes school holiday activities and other programs happening during July - September 2011.</li> <li>Progress report developed for midday review of the Auburn Youth Strategy 2009 - 2012 to be reported to Council in July. More than 500 youth programs and activities were provided in the Auburn area during 2009 - 2011 by Council and local partners with over 10,000 participants engaged. Priorities and strategies for the remainder of the plan have been identified and an action plan developed by the Auburn Youth Interagency for 2011 to 2012.</li> <li>Draft Code of Conduct for the Youth Space at the Auburn Centre for Community developed. Promotion of the Space to youth service providers undertaken and development of collaborative programs to be held during July to increase activities for young people in the North Auburn precinct.</li> </ul>						
✓	1.1.PT02	Community Consultation Program Maintenance	01-Jul-10	30-Jun-11	100%	CDC
<b>Progress Comments</b> <ul style="list-style-type: none"> <li>A partnership has been established with the Australian Bureau of Statistics to organise special Census fill in form session for the Somali community who have significantly low participation rates in Auburn. The session is planned for the 14 August at the Auburn Centre for Community.</li> <li>Planning and promotion commenced for the Somali Photo Voice project, a digital storytelling and consultation project with the local Somali community. Photo Voice is a technique in which participants are taught technical photography skills and are then asked to share aspects of their life or circumstances by taking photographs. The project forms an integral component of consultation and community engagement activities undertaken as part of Council's newly established Somali Community Capacity Building Project which seeks to identify the settlement needs and priorities of the Somali community in Auburn. The project will involve 30 participants who will participate in a 7 week technical photography course delivered by Lidcombe TAFE Outreach, commencing on 23 July. The project has been funded by the Local Government and Shires Association of NSW.</li> </ul>						
✓	1.1.PT03	Children's Participation through Utilising Child Friendly City Criteria	01-Jul-10	30-Jun-11	95%	CSC
<b>Progress Comments</b> Public art project commenced at Harold Moon Reserve, which will involve a series of consultations with children, including children and families who utilise the park.						
✓	1.1.PT04	Working with Friends of Auburn Library Service	01-Jul-10	30-Jun-11	100%	LCSC
<b>Progress Comments</b> Monthly meetings have been hosted in the library. Assistance has been provided to plan, promote and conduct public talks						
<b>Highlights</b> Events include Law Week author talk and a fundraising BBQ at Bunnings Auburn in May. Planned events include another BBQ in July and Tax talk in July.						
✓	1.1.PT05	Networking Opportunities for Auburn based Children and Family	01-Jul-10	30-Jun-11	100%	CSC
<b>Progress Comments</b> <ul style="list-style-type: none"> <li>Council convened the Auburn Children's Services Network meeting on the 23 June 2011 involving 11 local children's agencies. Issues discussed included childcare policy reform by the State Government, restructure of the Department of Community Services into the Department of Education and Community and children's services involvement in Council NAIDOC Week celebrations.</li> </ul>						



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June 2011 Quarter Review of the 2010/2011 Management Plan (cont'd)

Management Plan 2010/2011 Performance

Period: June 2011

Record Category	Code	Name	Start Date	Target Performance Date	RO
Strategic Objective	<b>SO.1.2</b>	<b>We promote social equity through programs that foster wellbeing, a sense of belonging and a high level of civic pride</b>			
Sign Off Complete.					
<input checked="" type="checkbox"/>	1.2.PT01	Annual Australia Day Activities	01-Jul-10	30-Jun-11 100%	CEC
Progress Comments The Community Pride taskforce continues to meet with the most recent meeting conducted at Auburn Council on Thursday 7 July. Christopher Chung - Council's new Sustainability Team Leader will be joining the taskforce as Council's representative, in place of Nhung Vu Nguyen. Community Pride plan to participate in the National Tree Day on Sunday July 31 - by planting trees along the Duck River corridor.					
<input checked="" type="checkbox"/>	1.2.PT02	Annual Auburn Festival Activities	01-Jul-10	30-Jun-11 100%	CEC
Progress Comments Planning for the 2011 Auburn Festival is up to date with infrastructure, rides and equipment being confirmed, stallholder applications being requested and performers being booked in.					
<input checked="" type="checkbox"/>	1.2.PT03	Plan and Implement an Annual Events Calendar	01-Jul-10	30-Jun-11 100%	CEC
Complete.					
<input checked="" type="checkbox"/>	1.2.PT04	Assist Local Community Groups in Development of Local Community Events	01-Jul-10	30-Jun-11 100%	CEC
Progress Comments Assistance in event planning for Community Groups is ongoing. Guidance was provided to ADSI in the implementation of the event 'Paint Auburn Read', and assistance was given to community organisations in planning for future events such as the Chand Raat Festival, Pacific Unity Festival and the Sangam World Cup. Assistance was also provided to the Celebration of African Cultures Festival in the set up of the event's website.					
<input checked="" type="checkbox"/>	1.2.PT05	Public Education Initiatives Development and Implementation	01-Jul-10	30-Jun-11 100%	CDC
Progress Comments <ul style="list-style-type: none"> <li>• Public Liability Insurance information session held with 27 voluntary community groups on 21 June at the Auburn Centre for the Community. The session was delivered by CRISP Insurance and included an explanation of insurance terms and types, managing risks at community events and the application process. The session was part of Council's capacity building activities which aim to make local organisations and groups stronger, independent and well-managed. The session was organised Auburn City Council in partnership with Anglicare and Granville Multicultural Community Centre.</li> <li>• Research undertaken on community education programmes run by other local councils and government agencies and development of background report on community education undertaken which will form the basis of a community education strategy for Council.</li> <li>• Ongoing development of community education resources addressing domestic violence and a pictorial resource addressing underage drinking and secondary supply of alcohol to minors in the CALD community.</li> <li>• Support provided for a Youth Road Trauma Forum run by the Department of Health over 3 days at Sydney Olympic Park</li> <li>• 1 'No Excuses' domestic violence prevention program delivered in partnership with the Police at Auburn Girls High School.</li> <li>• 3 Aboriginal cultural and bush tucker talks delivered throughout June at the Peacock Gallery and at ABC Pre School in Auburn.</li> </ul>					

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June 2011 Quarter Review of the 2010/2011 Management Plan (cont'd)

MPAC1011 Management Plan 2010/2011 Performance Portrait

Period: June 2011

Record Category	Code	Name	Start Date	Target Date	Performance	RO
<b>Strategic Objective</b>						
<b>SO.1.3 Auburn is a model forum for cultural expression</b>						
<b>Sign Off</b>						
<b>Complete.</b>						
<input checked="" type="checkbox"/>	1.3.PT01	Community Events Development Scheme	01-Jul-10	30-Jun-11	100%	CEC
<b>Progress Comments</b>						
Work in regard to that a Community Events Scheme that will assist Community groups in the planning and implementation of community events is ongoing. This includes producing a publication and document templates that will assist community groups in accumulating appropriate information and effective record keeping.						
<input checked="" type="checkbox"/>	1.3.PT02	Community and Cultural Events	01-Jul-10	30-Jun-11	100%	CEC
<b>Progress Comments</b>						
Work with Community Groups in the delivery of cultural events is ongoing. Some of the events that were planned for and delivered in May and June include the Community Pride Worm farm and composting workshops, Nurses Week Awards, Paint Auburn Read and Refugee Week.						
<input checked="" type="checkbox"/>	1.3.PT03	Cultural Plan Strategies	01-Jul-10	30-Jun-11	100%	CDC
<b>Progress Comments</b>						
<ul style="list-style-type: none"> <li>• Review of progress on the Auburn Cultural Plan underway.</li> <li>• Planning for the Somali Photo Voice digital storytelling project underway including promoting the project to the Somali community and organising workshops to commence on 23 July.</li> <li>• Planning, preparation and promotion of the Auburn Mayoral Art and Photography Prize.</li> <li>• Engagement of choir leader and establishment of Auburn Community Choir to commence in July.</li> <li>• Assisted with planning for Cherry Blossom Festival and associated art activities to be held at the Peacock Gallery.</li> <li>• 1 community event organised for Refugee Week with 700 - 800 people taking part.</li> <li>• 25 ongoing lifelong learning programs delivered across the LGA.</li> <li>• Development of 3 public art projects underway including Mural Project artists selected for Harold Moon Reserve playground mural and Auburn Basketball Centre (a joint initiative with the centre). Expressions of Interest called for "On the Dreaming Tracks" Duck River project from Aboriginal artists and 2 onsite information sessions held.</li> <li>• 'Children of Auburn' exhibition by George Voulgaropoulos held at the Peacock Gallery until 19 June.</li> <li>• 'Life Patterns installation' by Doreen Harris installed at the Peacock Gallery and opening event held on 25 June.</li> <li>• Henna workshop facilitated by Artist in Residence Idil Abdullahi for Auburn West Primary school mothers.</li> </ul>						
<input checked="" type="checkbox"/>	1.3.PT04	Temporary and Permanent Public Art Works	01-Jul-10	30-Jun-11	100%	CDC
<b>Progress Comments</b>						
<ul style="list-style-type: none"> <li>• Mural Project artists selected for Harold Moon Reserve playground mural and Auburn Basketball Centre (a joint initiative with the centre).</li> <li>• Expressions of Interest called for "On the Dreaming Tracks" Duck River project from Aboriginal artists, 2 onsite information sessions held.</li> </ul>						
<input checked="" type="checkbox"/>	1.3.PT05	Annual Mayoral Art and Photographic Exhibition	01-Jul-10	30-Jun-11	100%	CEC
<b>Complete.</b>						

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Record Category	Code	Name	Start Date	Target Date	Performance	RO
<b>Strategic Objective</b> <b>SO.1.4 Community needs will continue to be met through further enhancement of existing services</b>						
✓	1.4.PT01	Address Identified Major Community Service Gaps	01-Jul-10	30-Jun-11	100%	CDC
<b>Progress Comments</b> • Consultant engaged to undertake research for the development of the Auburn Disability Action Plan (or Community Access Plan) and the review and redevelopment of 6 town/village centre Mobility Maps. • 5 funding grant applications developed for arts and community safety initiatives.						
✓	1.4.PT02	Encourage Coordinated Delivery of Services and Programs to High Need Groups in the Auburn LGA	01-Jul-10	30-Jun-11	100%	CDC
<b>Progress Comments</b> • Review and renewal of new leasing arrangements for the Regents Park Community Hub for 2011/2012 underway including updating forms and management of the facility, organising a Hub Users meeting, meeting and liaising with Hub users and managing EOI applications • Consultation undertaken with Auburn Soccer Club regarding planning around increasing youth program development from the new Progress Park precinct.						
○	1.4.PT03	Relocation of Lidcombe Library	01-Jul-10	30-Jun-11	0%	LCSC
There was no activity this period.						
☹	1.4.PT04	Auburn Child Care Needs Report Development	01-Jul-10	30-Jun-11	75%	CSC
<b>Progress Comments</b> Initial background research conducted with childcare centres in the Auburn LGA about the current status of waiting lists and demand across the LGA. Consultants brief in Draft form.						
✓	1.4.PT05	Conversion of Former Lidcombe RSL to a New Library	01-Jul-10	30-Jun-11	100%	MPROP
<b>Progress Comments</b> Selected Tenders for the Design Documentation for the Refurbishment and Upgrade of the Lidcombe Centre for Community were invited in May 2011 and closed 10 June 2011 following an Expression of Interest Process and the tenders have been assessed and will be reported to Council's July 2011 meeting.						
○	1.4.PT06	Local Emergency Services Agencies	01-Jul-10	30-Jun-11	0%	GM
There was no activity this period.						
✓	1.4.PT07	Council's Aged Care Units	01-Jul-10	30-Jun-11	100%	MPROP
<b>Progress Comments</b> Program for 2010-2011 completed						


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Record Category	Code	Name	Start Date	Target Date	Performance	RO
Key Direction	<b>KD.2</b>	<b>A Connected, Safe and Accessible Auburn</b>				
Strategic Objective	<b>SO.2.1</b>	<b>Auburn has well-developed communication networks through business and community alliances</b>				
<b>Sign Off</b>						
<b>Complete.</b>						
 2.1.PT01	<b>Interagency Networks</b>		<b>01-Jul-10</b>	<b>30-Jun-11</b>	<b>100%</b>	<b>CDC</b>
<b>Progress Comments</b>						
<b>15 local interagency networks/committees convened/supported.</b>						

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Management Plan 2010/2011 Performance

Period: June 2011

Record Category	Code	Name	Start Date	Target Date	Performance	RO
<b>Strategic Objective</b> <b>SO.2.2 Programs, learning and community networks are easily accessible to all</b>						
<b>Sign Off</b> <b>Complete.</b>						
✓	2.2.PT01	Homework Help Services	01-Jul-10	30-Jun-11	100%	LCSC
<b>Progress Comments</b> Homework help sessions continue to be well attended						
✓	2.2.PT02	Lifelong Learning Activities and Programs	01-Jul-10	30-Jun-11	100%	CDC
<b>Progress Comments</b> • Continuation of 27 lifelong learning activities in Lidcombe, Newington, Regents Park and Berala. Evaluation of Term 2 programs which completed 30 June undertaken with participants. • School holiday activities and events planned together with the police and other Council staff for the upcoming July holidays. All programs running at the Libraries/Community Centres in July are already fully booked out.						
✓	2.2.PT03	Activities, Events and Educational Opportunities Availability through Library Service	01-Jul-10	30-Jun-11	100%	LCSC
<b>Progress Comments</b> Regular activities continue to be well patronised. Staffs are encouraged to constantly review programs with a view to improving and expanding the range of programs. Review of the delivery of Early Childhood Programs is underway. Facilitated activities and events (e.g. Conversation Classes, FOALS lectures, Computer classes) 262 events with 3727 participants planned activities (e.g. preschool story times and after school craft) 150 events with 2481 participants						
<b>Highlights</b> Law Week in May - Held two talks (Elder Law and Conducting your own court case) and hosted Auburn Girls High School students on a visit to Burwood Court for a mock trial. Participated in Paint Auburn Read reading day. All libraries hosted National Simultaneous Story time in May.						
✓	2.2.PT04	Parenting Education Programs	01-Jul-10	30-Jun-11	100%	CSC
<b>Progress Comments</b> • Council delivered a 'Three Choices' Parenting Program at Al-Faisal College on 10 and 24 June 2011. A total of 62 parents from the College participated in the program. This is the second parenting course provided by Council to the College, following a Protective Behaviours Training Program, which was delivered to parents in 2010.						
✓	2.2.PT05	Road Safety Action Plan	01-Jul-10	30-Jun-11	100%	TTC
<b>Progress Comments</b> All projects approved under the Road Safety Action Plan completed: Safe Speed Slow Down Safe Drive Walk Safely School Safe Child Restraint Program						

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Record Category	Code	Name	Start Date	Target Date	Performance	RO
Strategic Objective	<b>SO.2.3 Auburn has safe and reliable transport systems for pedestrians, motorists, cyclists and commuters</b>					
<input type="radio"/>	2.3.PT01	Local On-road Bicycle Program	01-Jul-10	30-Jun-11	30%	TTC
<b>Progress Comments</b>						
The project is deferred due to planned infrastructure works along Joseph Street by Energy Australia (Ausgrid).						
<input checked="" type="checkbox"/>	2.3.PT02	Pedestrian Access and Mobility Plan	01-Jul-10	30-Jun-11	100%	TTC
<b>Complete.</b>						
<input checked="" type="checkbox"/>	2.3.PT03	Traffic Black Spot Program	01-Jul-10	30-Jun-11	100%	TTC
<b>Progress Comments</b>						
Both projects namely "Traffic calming works on the Auburn Rd/Helena St roundabout approaches" and "Roundabout at the intersection of East St/James St" under the Federal Black Spot Program completed.						

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<b>Strategic Objective</b> <b>SO.2.4 Good planning allows for the safe and efficient movement of people and goods throughout the area</b>						
2.4.PT01	Auburn Town Centre Public Domain Upgrade Works		01-Jul-10	30-Jun-11	85%	TTC
<b>Progress Comments</b> Design & documentation is progressing well and expected to be completed in July 2011.						
2.4.PT02	Community Safety and Crime Prevention Plan		01-Jul-10	30-Jun-11	100%	CDC
<b>Progress Comments</b> <ul style="list-style-type: none"> <li>• Operation Bounce back car immobiliser program stalls held at Auburn Central and Toohey's Lane car park with Auburn Police to promote the program.</li> <li>• 2 information sessions held on reducing car theft for the Operation Bounce back project.</li> <li>• Worked with staff from Attorney General's to access funds linked to safety audits carried out at the carparks at Tooheys Lane and Susan Street.</li> <li>• Code of Practice, policy and background report finalised for the establishment of a CCTV program in public spaces to be reported to Council in July. Working Group formed with other staff from Council to develop the CCTV program. Consultation with the local Police to develop plans for both the mobile CCTV initiative and to the establishment of a Memorandum of Understanding in relation to CCTV.</li> <li>• Planning undertaken with the Police to develop a programme for the installation of irreversible number plate screws - to be held at Bunnings Auburn throughout late July and August.</li> <li>• Funding application developed for a community safety education programme for funding through the Law and Justice Foundation.</li> <li>• 'No Excuses' program delivered again in partnership with the Police at Auburn Girls High School. Evaluation and further development of program undertaken including possible expansion of the program to Juniper era Juvenile Justice Centre.</li> </ul>						
2.4.PT03	Future Transport Planning Activity		01-Jul-10	30-Jun-11	100%	TTC
<b>Progress Comments</b> This is an on-going project. Council's Engineering Unit is working closely with the Strategy Unit and Transport Working Group to provide comments and updates on transport related issues.						
2.4.PT04	Auburn Town Centre Traffic Reconfiguration		01-Jul-10	30-Jun-11	55%	TTC
<b>Progress Comments</b> RTA approval received for both traffic signals at the intersections of Queen Street/Civic Road/Auburn Road and Station Road/Kerr Parade/Civic Road. Construction will be undertaken with Public Domain Upgrade works.						
2.4.PT05	Wentworth Point (Homebush Bay West) Traffic Schemes		01-Jul-10	30-Jun-11	93%	TTC
<b>Progress Comments</b> Street Lighting works in progress. All light poles on Hill Road erected and expected to be commissioned in the first week of July 2011. Nine kerb blisters and three pedestrian refuges completed. 95% line marking completed. Further line marking delayed due to dust and mud on the road resulting from the development near Burroway Road. Drainage extension works completed on Hill Road and Bennelong Parkway to address localised pending issues.						
2.4.PT06	Station Road Bridge Upgrade		01-Jul-10	30-Jun-11	99%	TTC
<b>Progress Comments</b> Bridge construction works completed in September 2010. The outstanding works; the landscaping work north of Gelibolu Parade completed.						
2.4.PT07	Regents Park Overbridge		01-Jul-10	30-Jun-11	100%	TTC
<b>Progress Comments</b> A report (151/11 Regents Park Railway Overbridge Widening and Associated Works) was submitted for Council's consideration at its meeting held on 15 June 2011. Council resolved that further consideration of the matter be deferred to after the review of Council's Long Term Financial Plan in light of the significant reduction to Council's application for a special variation to general income.						

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Record Category	Code	Name	Start Date	Target Date	Performance	RO
<b>Key Direction KD.3 An Environmentally Sustainable Auburn</b>						
<b>Strategic Objective SO.3.1 We make and implement policies that contribute to a sustainable natural environment</b>						
<input checked="" type="checkbox"/>	3.1.PT01	Duck River Tributary Channel Flood Study	01-Nov-10	31-May-11	30%	DDE
<b>Progress Comments</b> Amended Consultant brief has been accepted by DECCW and the brief will be forwarded to consultants for quotations in July 2011						
<input type="checkbox"/>	3.1.PT02	Duck River Floodplain Risk Management Plans	01-Oct-10	18-Feb-11	25%	DDE
There was no activity this period.						
<input checked="" type="checkbox"/>	3.1.PT03	Stormwater Management Plans	01-Oct-10	30-Jun-11	100%	DDE
Complete.						
<input checked="" type="checkbox"/>	3.1.PT04	Organisational Sustainability Performance	01-Jul-10	30-Jun-11	51%	ALIAK
<b>Progress Comments</b> This project has been shelved due to insufficient resources and staff vacancy.						
<input checked="" type="checkbox"/>	3.1.PT05	Energy Savings Action Plan	01-Jul-10	30-Jun-11	51%	ALIAK
<b>Progress Comments</b> A project brief was distributed to three potential consultants. A determination of the appropriate consultancy will be undertaken in July.						
<input checked="" type="checkbox"/>	3.1.PT06	State of Environment Report	01-Jul-10	30-Jun-11	100%	SPO
Complete.						
<b>Strategic Objective SO.3.3 We seek to achieve a greener environment and to reduce our ecological footprint</b>						
<input type="checkbox"/>	3.3.PT01	Updated Information on Council Webpage	01-Jul-10	30-Jun-11	90%	PRO
There was no activity this period.						



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Record Category	Code	Name	Start Date	Target Date	Performance	RO
<b>Strategic Objective SO.3.4 Council has environmentally sustainable practices</b>						
<input checked="" type="checkbox"/>	3.4.PT01	Community Awareness Program	01-Jul-10	30-Jun-11	60%	MS
<b>Progress Comments</b>						
This program has progresses with 6 workshops on healthy sustainable lifestyle and natural baby care undertaken in June. A Council report detailing the outcomes has been reported to the June Council meeting.						
<input type="checkbox"/>	3.4.PT02	Sustainability Awareness Program	01-Jul-10	30-Jun-11	0%	MS
There was no activity this period.						
<input checked="" type="checkbox"/>	3.4.PT03	Sustainable Water Management Duck River Project	01-Jul-10	30-Jun-11	100%	PMSW
<b>Progress Comments</b>						
Duck River Catchment Project Status across Auburn, Parramatta & Bankstown City Councils LGA Auburn City Council: Golf Course Stormwater Harvesting Design - comments are provided on the Draft Design and Final Design will be completed by mid-July 2011 Council Depot Roof water Harvesting - Installation of roof water harvesting system is completed (i.e. tanks, gutters, pumps etc...), which will supply about 80% for the truck wash water demand. Concept Design is part of Duck River Project. Concept Design for Webbs Avenue Playing Field is completed. Parliamentary: Horlyck Reserve Stormwater Harvesting project is completed Bankstown: Jim Ring Concept Design Completed Water Quality Sampling is completed to determine the baseline condition.						
<input checked="" type="checkbox"/>	3.4.PT04	Rainwater Tanks Audit	01-Jul-10	30-Jun-11	50%	ALIAK
<b>Progress Comments</b>						
This project has been rolled into the WASIP program.						
<input checked="" type="checkbox"/>	3.4.PT05	Camellia-Silverwater Sustainable Businesses Program	01-Jul-10	30-Jun-11	100%	SEP
Complete.						

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Record Category	Code	Name	Start Date	Target Date	Performance	RO
<b>Strategic Objective</b> <b>SO.3.5 Residents, businesses and visitors all contribute to Auburn's environmental management</b>						
✓	3.5.PT01	Community Pride Events and Activities	01-Jul-10	30-Jun-11	100%	CEC
<b>Progress Comments</b> Ongoing						
✓	3.5.PT02	Sydney Water Partnership Pilot Program	01-Jul-10	30-Jun-11	100%	ALIAK
<b>Progress Comments</b> Project has been completed and reported to Council for the July 13 Council meeting.						
<b>Highlights</b> 33 businesses engaged with \$33,000 of grant funding spent on materials to assist with the implementation of a variety of efficiency opportunities including reduced flow rates on taps and showers, fixing urinal and toilet leaks and retrofitting inefficient rain water tank system.						
⊖	3.5.PT03	Illegal Dumping and Poor Waste Management	01-Jul-10	30-Jun-11	75%	WEO
<b>Progress Comments</b> Ongoing surveillance of high activity areas						
✓	3.5.PT04	Keep Australia Beautiful	01-Jul-10	30-Jun-11	100%	WEO
<b>Progress Comments</b> Detail of project passed to Manager of Economic Development						
○	3.5.PT05	Education Material Targeted at Children	01-Jul-10	30-Jun-11	50%	WEO
<b>Progress Comments</b> There was no activity this period.						
✓	3.5.PT06	E-Waste Collection Day	01-Jul-10	30-Jun-11	90%	WEO
<b>Progress Comments</b> Receiving quotes from service providers to conduct collection						

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Record Category	Code	Name	Start Date	Target Date	Performance	RO
Strategic Objective	<b>SO.3.6 We value and enhance our natural and cultural heritage</b>					
✓ 3.6.PT01	Heritage Information in LEP		01-Jul-10	30-Jun-11	90%	MS
<b>Progress Comments</b>						
Data comprising updated Inventory Sheets prepared in accordance with the NSW Heritage Branch's software was submitted to the NSW Heritage Branch in June.						
● 3.6.PT02	Bushcare Volunteer Program		01-Jul-10	30-Jun-11	100%	MPR
<b>Progress Comments</b>						
Project delayed pending recruitment of Bushcare Coordinator required to facilitate program. Recruitment to occur next quarter. Volunteer engagement framework completed. Process of developing a bushland restoration plan for the Duck that will be used to guide volunteers has commenced.						

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Record Category	Code	Name	Start Date	Target Date	Performance	RO
<b>Key Direction KD.4 A Healthy and Active Auburn</b>						
<b>Strategic Objective SO.4.1 There is a diverse range of affordable, quality recreation and leisure activities and facilities</b>						
<input checked="" type="checkbox"/>	4.1.PT01	Turf Cricket Wicket Relocation	01-Jul-10	30-Jun-11	100%	MPR
Complete.						
<input checked="" type="checkbox"/>	4.1.PT02	Auburn Ageing Strategy	01-Jul-10	30-Jun-11	75%	CDC
<b>Progress Comments</b> No progress on Ageing Strategy this month due to recruitment of Community Development Officer for Age and Disability still in progress. Ageing Strategy not planned for completion until 2012.						
<input type="checkbox"/>	4.1.PT03	Aquatic Facilities	01-Jul-10	30-Jun-11	50%	MPROP
<b>Progress Comments</b> Tenders for the preparation of a concept design and detail design have been invited following an Expression of Interest Process. The tenders will be reported to Council's July 2011 meeting.						
<input type="checkbox"/>	4.1.PT04	Botanic Gardens Masterplan	01-Jul-10	30-Jun-11	25%	MPR
<b>Progress Comments</b> Brief for development of masterplan for Botanic Gardens completed November 2010. Project delayed pending incorporation of brief for development of Depot and adjacent operational lands Masterplan						
<input type="checkbox"/>	4.1.PT05	Capital Works Program	01-Jul-10	30-Jun-11	75%	MPR
<b>Progress Comments</b> New playgrounds installed at Pierre de Coubertin Park and Chadwick Reserve. Floodlights installed at Princes Park, Coleman Park and Webbs Avenue Playing Fields. New cricket wicket surfaces and upgraded cricket nets installed at several locations.						
<input type="checkbox"/>	4.1.PT06	Progress Park Irrigation System	01-Jul-10	30-Jun-11	35%	MPR
<b>Progress Comments</b> Water demand modelling completed. Design concept for an integrated 'whole of Duck River corridor' sportsgrounds irrigation system using water sourced from Duck River completed.						
<input type="checkbox"/>	4.1.PT07	Oriole Park Precinct Masterplan	01-Jul-10	30-Jun-11	20%	OSRC
<b>Progress Comments</b> Draft project brief developed						
<input type="checkbox"/>	4.1.PT08	Botanic Gardens Business Plan	01-Jul-10	30-Jun-11	51%	MPR
<b>Progress Comments</b> Structure of draft plan developed. However, project delayed pending completion of Botanic Gardens Masterplan						

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Strategic Objective	<b>SO.4.2 The well-being of people is promoted through participation in recreation and leisure pursuits</b>					
<b>Sign Off</b>						
<b>Complete.</b>						
<input checked="" type="checkbox"/>	4.2.PT01	Residents Fitness Programs	01-Jul-10	30-Jun-11	100%	CDC
<b>Progress Comments</b>						
• Ongoing sport and recreation programs including: weekly Football United community soccer program at Auburn Park (average 80 young people per week) and Auburn Youth Dance Group Saturday classes at Lidcombe Community Centre.						
<input checked="" type="checkbox"/>	4.2.PT02	Annual Auburn Sports Awards	01-Jul-10	30-Jun-11	100%	CEC
<b>Complete.</b>						
<input checked="" type="checkbox"/>	4.2.PT03	Sports Committee Establishment	01-Jul-10	30-Jun-11	100%	OSRC
<b>Progress Comments</b>						
Council adopted a Sports Committee and the first meeting is scheduled in September 2011						

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Record Category	Code	Name	Start Date	Target Date	Performance	RO
Strategic Objective	<b>SO.4.3</b>	<b>We comply with public and environmental health standards</b>				
<b>Sign Off</b>						
<b>Complete.</b>						
 4.3.PT01	Environmental and Public Health		01-Jul-10	30-Jun-11	100%	MRC
<b>Progress Comments</b>						
<b>Cooling towers inspections on target</b>						

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Record Category	Code	Name	Start Date	Target Date	Performance	RO
<b>Key Direction KD.5 A Liveable and Distinctive Auburn</b>						
<b>Strategic Objective SO.5.1 Our suburbs are known for their distinctive architectural character and high visual quality</b>						
<b>Sign Off</b>						
<b>Complete.</b>						
<input checked="" type="checkbox"/>	5.1.PT01	Places of Public Worship	01-Jul-10	30-Jun-11	100%	MS
<b>Complete.</b>						
<b>Strategic Objective SO.5.4 We pursue excellence in urban design so that future urban developments are high quality, safe and functional</b>						
<input type="checkbox"/>	5.4.PT01	Northumberland Road Precinct Master Plan	01-Jul-10	30-Jun-11	0%	SSP
<b>There was no activity this period.</b>						
<input type="checkbox"/>	5.4.PT02	Berala Small Village Public Domain Plan	01-Jul-10	30-Jun-11	0%	SSP
<b>There was no activity this period.</b>						
<input type="checkbox"/>	5.4.PT03	Regents Park Small Village Public Domain Plan	01-Jul-10	30-Jun-11	0%	SSP
<b>There was no activity this period.</b>						
<input type="checkbox"/>	5.4.PT04	Neighbourhood Centres Studies	01-Jul-10	30-Jun-11	50%	SSP
<b>Progress Comments</b>						
<b>Preparation for workshops with community and Councillors, including publicising the forthcoming workshops, has been the focus on June 2011.</b>						

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Record Category	Code	Name	Start Date	Target Date	Performance	RO
Key Direction	<b>KD.6</b>	<b>An Innovative and Economically Thriving Auburn</b>				
Strategic Objective	<b>SO.6.1</b>	<b>We foster a civic and business culture that encourages entrepreneurship, innovation and lifelong learning</b>				
<b>Sign Off</b>						
<b>Complete.</b>						
<input checked="" type="checkbox"/>	<b>6.1.PT01</b>	<b>Auburn Local Business Awards</b>	<b>01-Jul-10</b>	<b>30-Jun-11</b>	<b>100%</b>	<b>CEC</b>
<b>Complete.</b>						
<input checked="" type="checkbox"/>	<b>6.1.PT02</b>	<b>Business Networks and Industry Clusters</b>	<b>01-Jul-10</b>	<b>30-Jun-11</b>	<b>100%</b>	<b>MED</b>
<b>Complete.</b>						



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Record Category	Code	Name	Start Date	Target Date	Performance	RO
<b>Strategic Objective SO.6.2 We promote investment, business opportunity and local job growth</b>						
Sign Off Complete.						
<input checked="" type="checkbox"/>	6.2.PT01	Corporate Business Databases	01-Jul-10	30-Jun-11	100%	MED
Complete.						
<input checked="" type="checkbox"/>	6.2.PT02	Economic Impact Modelling for Auburn LGA	01-Jul-10	30-Jun-11	100%	MED
Complete.						
<input checked="" type="checkbox"/>	6.2.PT03	Local Investment Opportunities	01-Jul-10	30-Jun-11	100%	MED
Complete.						
<input checked="" type="checkbox"/>	6.2.PT04	Employment and Training Initiatives and Programs	01-Jul-10	30-Jun-11	100%	MED
Complete.						
<b>Strategic Objective SO.6.4 We have effective business networks within and outside Auburn</b>						
Sign Off Complete.						
<input checked="" type="checkbox"/>	6.4.PT01	Business Clusters and Networks in Local Industries	01-Jul-10	30-Jun-11	100%	MED
Complete.						
<input type="checkbox"/>	6.4.PT02	Development Assessments	01-Jul-10	30-Jun-11	100%	TLDA-KO
Progress Comments \$9,689,425.00						
<input type="checkbox"/>	6.4.PT03	Development Assessments Costs	01-Jul-10	30-Jun-11	100%	TLDA-KO
Progress Comments Cost of works for June \$9, 689, 425.00						
<input checked="" type="checkbox"/>	6.4.PT04	Electronic Communications Mechanisms	01-Jul-10	30-Jun-11	100%	MED
Complete.						

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June 2011 Quarter Review of the 2010/2011 Management Plan (cont'd)

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**Management Plan 2010/2011 Performance**

**Period: June 2011**

Record Category	Code	Name	Start Date	Target Date	Performance	RO
Strategic Objective	<b>SO.6.5</b>	<b>Business centres and services meet the needs of residents, businesses, visitors and workers</b>				
		<b>Sign Off Complete.</b>				
<input checked="" type="checkbox"/> 6.5.PT01		Transaction Centres for Government Agencies	01-Jul-10	30-Jun-11	100%	MED
		<b>Complete.</b>				


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June 2011 Quarter Review of the 2010/2011 Management Plan (cont'd)

Management Plan 2010/2011 Performance

Period: June 2011

Record Category	Code	Name	Start Date	Target Date	Performance	RO
Key Direction		<b>KD.7 A Well Managed and Financially Accountable Council</b>				
Strategic Objective		<b>SO.7.1 We are recognised as a leading Council</b>				
 7.1.PT01	Street Cleaning Section Job Redesign		01-Jul-10	30-Jun-11	50%	DWS
Progress Comments						
Ongoing						
 7.1.PT02	Depot Operations		01-Jul-10	30-Jun-11	65%	DWS
Progress Comments						
Have engaged consultants to conduct review and instigate actions related to their findings.						

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June 2011 Quarter Review of the 2010/2011 Management Plan (cont'd)

Management Plan 2010/2011 Performance

Period: June 2011

Record Category	Code	Name	Start Date	Target Date	Performance	RO
Strategic Objective	<b>SO.7.2 We are an accessible and responsive local government</b>					
7.2.PT01		Access to Council Information and Opportunities	01-Jul-10	30-Jun-11	100%	TLITS
<b>Progress Comments</b>						
<p>June Activity: A purchase order was issued for Library Digital Signage. Progress to-date: This is an ongoing project that will identify and assess technologies available to enhance community interaction, and implement when a cost benefit justifies implementation. An additional communication channel utilising SMS has been implemented. Interactive monitors are now being utilised in the customer service area to improve access to information requests. Digital Signage screens will be implemented in the Auburn City Library service to allow library patrons access to current library/council information. In May 2011 the implementation planning has commenced and the project team is being formed to assist with the project. Quotes for installation of digital signage assessed and preferred supplier has been selected.</p>						
7.2.PT02		Availability of Council Services via Internet	01-Jul-10	30-Jun-11	100%	IPASO
<b>Progress Comments</b>						
<p>June Activity: Investigation has commenced on the implementation of an Auburn Business Portal to supply information to local business. Progress to date: This is an ongoing activity. As part of this activity Council has implemented a number of online e-business services, which include Development Assessment Enquiry, Customer Requests, Invoice Payment (Sundry Debts), Rates Payments, online receipt issue, Certificate requests and fines payments and information. A Government Information (Public Access) Act (GIPA) portal has been developed for Council's website that has significantly improved community access to Council Information. An additional portal to provide users with requested information under the Government Information Public Access Act (GIPA) is underway. The site has been created and the ability to pay online for request via Councils CRM (Pathway) is currently being setup.</p>						
7.2.PT03		Car Fleet Condition	01-Jul-10	30-Jun-11	0%	GM
There was no activity this period.						
7.2.PT04		Fleet Condition	01-Jul-10	30-Jun-11	0%	GM
There was no activity this period.						

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June 2011 Quarter Review of the 2010/2011 Management Plan (cont'd)

Management Plan 2010/2011 Performance

Period: June 2011

Record Category	Code	Name	Start Date	Target Date	Performance	RO
<b>Strategic Objective</b> <b>SO.7.3 We maintain and effectively manage our assets for current and future generations</b>						
<input checked="" type="checkbox"/>	7.3.PT01	Parks Asset Disposal Strategy	01-Jul-10	30-Jun-11	80%	OSRC
<b>Progress Comments</b> Guidelines developed and completed. Final strategy to be completed						
<input checked="" type="checkbox"/>	7.3.PT02	Fair and Equitable Rating Burden	01-Jul-10	30-Jun-11	95%	TLRR
<b>Progress Comments</b> June Activity: Draft the report to Council on the commenced. Progress to-date: A review of the current practice of generating 47% of rate income from properties categorised as residential and 53% from properties categorised as business has been undertaken and report to Council being prepared.						
<input checked="" type="checkbox"/>	7.3.PT03	Regional Roads Maintenance	01-Jul-10	30-Jun-11	100%	RENG
<b>Progress Comments</b> Pavement reconstruction works including heavy patching have been completed in East Street. All maintenance works in Regional Roads scheduled for 2010-11 have now been completed.						
<input checked="" type="checkbox"/>	7.3.PT04	Rolling Works Programme	01-Jul-10	30-Dec-10	100%	RENG
<b>Complete.</b>						
<input checked="" type="checkbox"/>	7.3.PT05	Council Information Accessibility	01-Jul-10	30-Jun-11	80%	MIS
<b>Progress Comments</b> June Activity: The draft Information Security Policy Framework and a suite of eight policies were reviewed by the IT Systems Administrator and IT Services Team Leader. Progress-to-date: The draft Information Security Policy Framework and a suite of eight Information Security policies have been prepared. All these nine documents have been subject to a peer review and have been updated to include the recommendations resulting from that review.						
<input checked="" type="checkbox"/>	7.3.PT06	Assets Management Plan and Asset Management System	01-Jul-10	30-Jun-11	100%	ASYSCO
<b>Complete.</b>						

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June 2011 Quarter Review of the 2010/2011 Management Plan (cont'd)

Management Plan 2010/2011 Performance

Period: June 2011

Record Category	Code	Name	Start Date	Target Performance Date	RO
<b>Strategic Objective SO.7.4 We deliver effective and accountable governance</b>					
<input checked="" type="checkbox"/>	7.4.PT01	Auburn Community Strategic Plan	01-Jul-10	30-Jun-11 100%	SSP2
<p><b>Progress Comments</b></p> <p>Finalised with graphic artist on 30 June 2011. The Auburn City Community Strategic Plan 2021 was adopted by Council in its May 18, 2011 meeting. A copy of the plan was also forwarded to the Department of Local Government.</p>					
<input checked="" type="checkbox"/>	7.4.PT02	Holistic Approach to Planning	01-Jul-10	30-Jun-11 100%	CS
<p><b>Complete.</b></p>					
<input checked="" type="checkbox"/>	7.4.PT03	Elected Members Role	01-Jul-10	30-Jun-11 98%	MADMIN
<p><b>Progress Comments</b></p> <p>June Activity Survey Documentation circulated electronically to all councillors for anonymous response by each. Nil responses received. Progress to Date: Questionnaire document further refined re content and converted to e-format to enable responses to be made anonymously Survey topics identified and agreed. Draft E-Questionnaire prepared with a view to being distributed for completion during June 2011 Quarter</p>					
<input type="checkbox"/>	7.4.PT04	Council Operations	01-Jul-10	30-Jun-11 51%	MADMIN
<p><b>Progress Comments</b></p> <p>June Activity: Not progressed in period. Progress to Date: Schedule of on-going rolling Governance Health checks prepared, but deferred action due to Governance Health Check program being abandoned by LGMA in preference for a revised process which was scheduled for, but still not released by end of final quarter.</p>					
<input checked="" type="checkbox"/>	7.4.PT05	Statutory Reporting Requirements	01-Jul-10	30-Jun-11 100%	MF
<p><b>Progress Comments</b></p> <p>June Activity: 1. March 2011 Quarter Budget Review of Management Plan and Budget reported to Council Ordinary Meeting on 18 May 2011. 2. Finance Report for the month ended 31.5.2011 submitted to Executive and Manager Meeting on 27/6/2011. YTD Progress: 1. DLG reporting requirements and compliance are fulfilled. 2. Unqualified audited financial statements for 2009/2010 submitted to Council Meeting on 17/11/2010, Financial Data Return submitted to DLG on 4/11/2010. 3. Quarterly Reviews of Management Plan and Budget reported to Council within statutory time frames.</p>					
<input checked="" type="checkbox"/>	7.4.PT06	Fees and Charges	01-Jul-10	30-Jun-11 100%	MF
<p><b>Progress Comments</b></p> <p>June Activity: Revised and proposed public exhibition of adopted Fees and Charges Schedule for 2011/2012 incorporated in the 2011/2012 Operation Plan in July 2011. Progress to date: Research undertaken to identify best practice in relation to managing, updating and reporting Fees and Charges. Council fees and charges procedures and reporting reviewed and revised based on outcome of research undertaken. Revised procedures and reporting formats incorporated in the draft 2011/2012 Operation Plan.</p>					
<input checked="" type="checkbox"/>	7.4.PT07	Risk Management	01-Jul-10	30-Jun-11 95%	MADMIN
<p><b>Progress Comments</b></p> <p>June Activity: Review of major corporate risks with details of corrective actions progressed in this period and reported to Executive Committee as initial phase of Enterprise Risk Management procedures Progress to Date: Implementation of Enterprise Risk Management (Guardian System) procedures commenced with selected Management Team members, however, unplanned changes in Risk Management resources necessitated review of timeline for final phases of this activity</p>					

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June 2011 Quarter Review of the 2010/2011 Management Plan (cont'd)

Management Plan 2010/2011 Performance

Period: June 2011

Record Category	Code	Name	Start Date	Target Date	Performance	RO
<b>Strategic Objective</b> <b>SO.7.5 We are recognised for our highly skilled staff and our customer service</b>						
<b>Sign Off</b> <b>Complete.</b>						
7.5.PT01	Customer Requests		01-Jul-10	30-Jun-11	100%	TLCS
<b>Progress Comments</b> <b>June Activity: Regular monthly reports continued to be submitted to Executive Group. Progress to date: Reporting functionality on compliance with CRMS Service Levels developed and regular monthly reports to Executive Group implemented in January 2011.</b>						
7.5.PT02	Access to Council Services		01-Jul-10	30-Jun-11	100%	TLCS
<b>Progress Comments</b> <b>June Activity: The extended hours of opening of the Customer Service counter was implemented following successful trial. Progress to date: Extended hours of opening from 8.30 am to 4.30 pm trialled over first three quarters of the year as a proposed on-going arrangement.</b>						





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June 2011 Quarter Review of the 2010/2011 Management Plan (cont'd)

Management Plan 2010/2011 Performance

Period: June 2011

Record Category	Code	Name	Start Date	Target Date	Performance	RO
Strategic Objective	<b>SO.7.6</b>	<b>We work cooperatively with other tiers of government and with partners in the private and non-government sectors for the benefit of our citizens</b>				
<b>Sign Off Complete.</b>						
	<b>7.6.PT01</b>	<b>Workforce Development Plan</b>	<b>01-Jul-10</b>	<b>30-Jun-11</b>	<b>100%</b>	<b>MHR</b>
<b>Progress Comments</b> Workforce Management Plan was adopted by Council at its meeting May 18, 2011.						
	<b>7.6.PT02</b>	<b>Auburn Council Recruitment</b>	<b>01-Jul-10</b>	<b>30-Jun-11</b>	<b>100%</b>	<b>MHR</b>
<b>Progress Comments</b> Council's website has been updated to ensure an employer of choice branding profile which promotes working at Auburn.						
	<b>7.6.PT03</b>	<b>Work Environment Safety</b>	<b>01-Jul-10</b>	<b>30-Jun-11</b>	<b>100%</b>	<b>MHR</b>
<b>Progress Comments</b> Health Fair conducted for all staff on the 31st March 2011.						
	<b>7.6.PT04</b>	<b>Staff Mentoring Program</b>	<b>01-Jul-10</b>	<b>30-Jun-11</b>	<b>100%</b>	<b>MHR</b>
<b>Progress Comments</b> Staff mentoring program guidelines developed in May 2011 for the commencement of the Workforce Development program 2011-2012.						



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June 2011 Quarter Review of the 2010/2011 Management Plan (cont'd)

Management Plan 2010/2011 Performance

Period: June 2011

Record Category	Code	Name	Start Date	Target Date	Performance	RO
Strategic Objective	<b>SO.7.7</b>	<b>Council is an employer of choice within the region and in local government</b>				
Sign Off						
Complete.						
7.7.PT01	Recruitment Strategy		01-Jul-10	30-Jun-11	100%	MHR
Progress Comments						
Development of a Recruitment Strategy completed for the Workforce Management Plan adopted by Council at its meeting May 18, 2011.						
7.7.PT02	Springboard for Women' program		01-Jul-10	30-Jun-11	100%	MHR
Progress Comments						
Council has participated and facilitated with The Local Government Shires Association Springboard program for this period with Council employees attending.						
7.7.PT03	Leadership Standards for Senior Staff		01-Jul-10	30-Jun-11	100%	MHR
Progress Comments						
Development and implementation framework sourced through leadership management Australia for Senior Management Coaching and Middle Management to capture current leadership standards development of management team						

**AUBURN CITY COUNCIL**

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**214/11      June 2011 Quarter Review of the 2010/2011 Budget**

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L-22-04/05      HWH : MW

**SUMMARY**

The report on the June 2011 Quarter Review of the 2010/2011 Income and Expenditure Budget is submitted so as to meet the Notice of Business requirements of the Council's Code of Meeting Practice.

**RECOMMENDATION**

1. *That the Report be received and the information therein noted.*
2. *That the June 2011 Quarter Review of revised estimates of income and expenditure for 2010/2011 be hereby noted and approved.*

**REPORT**

At the time of printing the Business Paper, the report on the June 2011 Quarter Review of the 2010/2011 Income and Expenditure Budget was not available for circulation.

The report is currently being prepared in conjunction with Council's end of year Financial Statements and will be circulated to Councillors prior to the Ordinary meeting of Council.

## AUBURN CITY COUNCIL

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**215/11      Local Government Association of NSW Annual Conference 2011 -  
Shoalhaven**

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L-21-01/18      BC : MW

### SUMMARY

The Council's determination is sought on the Delegates who are to attend the abovementioned conference.

### RECOMMENDATION

- 1. That the Council note the interest expressed by Councillors in accordance with Council's Civic Expenses Policy in attending the Local Government Association 2011 Annual Conference in Shoalhaven 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 the Council determine its four voting delegates from amongst those Councillors in 1 above.***

### REPORT

It is necessary for the Council to appoint its delegates to attend the Annual Conference of the Local Government Association (LGA) to be held in Shoalhaven during the period Sunday 23<sup>rd</sup> to Wednesday 26<sup>th</sup> October, 2011.

It is also necessary to appoint the Council's voting delegates.

The Council's Civic Expenses Policy places no limit on the number of Councillors who attend the LGA Conference and the opportunity is available for the approval of the attendance of all Councillors who are interested.

The Council is entitled to have four Voting Delegates at the Conference and it is therefore appropriate that those be appointed from amongst those Councillors who are to attend. It should be noted that should the necessity arise, the Constitution of the Association enables the nominated voting delegates to be changed both before and during the Conference, subject to written notification by the Mayor or General Manager.

The remaining Councillors who are attending will be observers to the Conference.

A copy of the draft program is attached.

The LGA has also advised of the opportunity for delegates to participate in any one of three concurrent Professional Development Workshops on Sunday, October 23, 2011, from 10.00am to 2.00pm.

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Local Government Association of NSW Annual Conference 2011 - Shoalhaven (cont'd)

The workshops are an additional \$220.00 (includes comprehensive training material and lunch) and are on the following topics:-

Workshop 1	Election 2012 – Engaging your Community.
Workshop 2	Counselling Skills for Councillors.
Workshop 3	Community Leadership – the latest trends.

Places are limited and are therefore available on a first in basis.

Sufficient accommodation has already been booked for the Council's delegates.

The Council's Civic Expenses Policy (refer Cl. 2.2.1.1 (f)) enables attendance by its delegates at the LGA Conference and for it not to be counted as one of the three conferences per financial year at which attendance is otherwise limited.

The Policy does however prescribe that attendance at the LGA Conference must have prior approval by the Council.

Councillors' attention is also directed to the terms of the Policy which require that, where approval is given for attendance by a Councillor and expenditure is incurred by the Council for bookings, etc., and that Councillor does not attend, the costs expended by the Council will be recouped from the Councillor unless the non-attendance was due to business or family or medical emergency.

## **ATTACHMENTS**

1. Draft Program for Local Government Association of NSW Annual Conference 2011 – T052669/2011

Local Government Association of NSW Annual Conference 2011 - Shoalhaven (cont'd)

**ATTACHMENT 1**

**Local Government Association of NSW Conference 2011**

**DRAFT PROGRAM (6 July 2011)**  
**23 - 26 October, 2011**  
**Shoalhaven Entertainment Centre, Bridge Road Nowra**

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**Sunday 23 October**

9.00am – 5.30pm     **Registration opens**  
*Venue: Shoalhaven Entertainment Centre*

**Local church services:**

For a list of all church services, denominations and times, on Sunday the 23<sup>rd</sup> of October 2011 in the Nowra area, please refer to our website under Program.

10.00am – 2.00pm     **Professional Development Workshops presented by LGSA Learning Solutions**  
*Venue: Council Chambers, 42 Bridge Road, Nowra.*

4.00pm – 6.00pm     **Official Opening Ceremony**  
*Venue: Shoalhaven Entertainment Centre*  
Mayoral procession  
National Anthem  
Welcome to Country  
Welcome from Cr Paul Green, Mayor of Shoalhaven City Council  
Welcome address by Cr Keith Rhoades AFSM, President LGA  
Presentation of the AR Bluett Awards  
Presentation of Outstanding Service Awards  
Address by President's Welcome Reception Sponsor  
Sita Environmental Solutions

6.00pm – 9.00pm     **President's Welcome Reception and Jane Rutter Concert**  
*Venue: Shoalhaven Entertainment Centre*

**Monday 24 October**

*Venue: Shoalhaven Entertainment Centre*  
8.00am     Voting opens in The Studio for all contested positions on the LGA Executive Committee  
9.00am     Mr Graeme Philpotts, CEO, Stewart House  
9.30am     Constitutional Recognition: Cr Genia McCaffery, ALGA President and Professor George Williams  
10.00am     Mr Paul Broad, CEO, Infrastructure NSW, (invited)  
10.30am     Morning Tea  
11.00am     Improving the image of Local Government in NSW – research findings and next steps  
Presenter: TBA  
11.40am     Mr Geoff Scott, CEO, Aboriginal Land Council (invited)  
12.00 noon     Lunch  
1.00pm     Hon Barry O'Farrell MP, Premier of NSW, Opening Address (invited)  
1.30pm     Ministers Panel chaired by Julie McCrossin:  
Hon Donald Page MP, Minister for Local Government  
Hon Brad Hazzard MP, Minister for Planning and Infrastructure (invited)  
Hon Gladys Berejiklian MP, Minister for Transport (invited)  
Hon Jillian Skinner MP, Minister for Health (invited)  
2.30pm     Mr John Robertson MP, Leader of the Opposition  
3.00pm     Afternoon Tea  
Voting closes in The Studio for all contested positions on the LGA Executive Committee

Local Government Association of NSW Annual Conference 2011 - Shoalhaven (cont'd)

**ATTACHMENT 1**

**Local Government Association of NSW Conference 2011**

3.30pm Mr David Shoebridge MLC, Greens Speaker  
4.00pm Keynote Speaker Mr Bernard Salt, 'Local councils' role in envisioning a better way to live in the 21<sup>st</sup> century'.  
5.00pm Conference adjourns for Sponsors Happy Hour drinks in trade exhibition  
6.00pm Sponsors Happy Hour concludes. End of Day proceedings.  
*\*\*Transfers required to accommodation.*

*Free night for delegates to enjoy local restaurants. Bookings essential.*

**Tuesday 25 October**

*Conference Sessions at Shoalhaven Entertainment Centre*

9.00am Adoption of Standing Orders  
Presentation and Adoption of Treasurer's Report  
9.15am Update on One Association – what happens next?  
9.30am Consideration of Motions  
10.30am Session breaks for Morning Tea in trade exhibition  
11.00am Consideration of Motions  
12.30pm Lunch in trade exhibition  
1.30pm Cr Bruce Miller, Chair, State Cover (invited)  
1.45pm Mr Peter Lambert, CEO, Local Government Super (invited)  
2.00pm Consideration of Motions  
4.00pm Conference adjourns for Sponsors Happy Hour drinks in trade display  
4.45 – 5.00pm Sponsors Happy Hour concludes. End of day proceedings.  
*\*\*Transfers required to accommodation.*  
*\*Note: no afternoon tea as happy hour comes forward.*

From 6.30pm *Bus pickup from accommodation by prior booking on registration form*  
From 7.30pm **Gala dinner sponsored by Essential Energy**  
*Venue: The Fleet Air Arm Museum*  
From 10.30pm *Buses return to accommodation*

**Wednesday 26 October**

*Conference Sessions at Shoalhaven Entertainment Centre*

9.00am Presentation from Cr Allan Smith, Mayor of Dubbo City Council for 2012 Conference  
9.20am Opening of Business Session  
Consideration of Late Motions (with the leave of the conference)  
11.00am Presentation of new Executive Committee  
11.15pm Drawing of prizes. Submission of conference evaluation forms closed.  
Closing ceremony  
From 12.00 noon Lunch and end of Conference

This program is correct at the time of printing; speakers and program details may have changed due to unforeseen circumstances.

*Plenty of parking is available at the venue. Taxis are available. Please contact the conference secretariat if you have any access issues.*

## AUBURN CITY COUNCIL

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**216/11 Australian Public Sector Anti-Corruption Conference 2011 - Perth, WA**

C-23-11 BC : MW

**SUMMARY**

Details are provided on the Australian Public Sector Anti-Corruption Conference 2011 to be held from November 15 to 17, 2011 in Perth, Western Australia.

**RECOMMENDATION**

- 1. That the Council note the interest expressed by Councillors in accordance with Council's Civic Expenses Policy in attending the Australian Public Sector Anti-Corruption Conference 2011 in Perth 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.***

**REPORT**

Council, by notification on July 18, 2011 has been advised by joint hosts – the Corruption and Crime Commission (WA), the Crime and Misconduct Commission (QLD) and the Independent Commission Against Corruption (NSW), of the Australian Public Sector Anti-Corruption Conference (APSACC) 2011 to be held in Perth, Western Australia from November 15 to 17, 2011.

The APSACC is claimed to be a premier biennial event hosted by Australia's leading anti-corruption agencies as mentioned above and presents an ideal opportunity for public sector leaders to take a proactive approach to corruption prevention, share experiences and learn from individual and collective successes and challenges.

A copy of the APSACC 2011 program is available on request.

Registration fees are 'Standard' – \$1950.00 (before October 31, 2011) and 'Late' – \$2000.00 (from November 1, 2011). Estimated cost for accommodation and travel is \$1,800.00 per delegate.

Councillors also have the opportunity on the first day of the conference to participate in the following workshops at a cost of \$440.00 for one Half Day Workshop, \$790.00 for two Half Day Workshops and \$790.00 for one Full Day Workshop:-

Australian Public Sector Anti-Corruption Conference 2011 - Perth, WA (cont'd)

Half Day Workshops

- Codes of Conduct
- Managing Whistleblowing: risks and responsibilities

Full Day Workshops

- Embedding Ethics
- Establishing, improving and managing misconduct and complaints handling systems
- Fact Finder: how to conduct an internal fact finding investigation
- Probity in Procurement: helping managers understand and deal with procurement corruption and risks
- Understanding improper influence as a misconduct risk

Councillors are therefore invited to indicate their interest in attending.

The Council's Civic Expenses Policy (refer Cl. 2.2.1.1 (h)) provides for attendance by its delegates at up to three such conferences per financial year (in addition to the Local Government Association Conference), subject amongst other things to Councillors wishing to attend gaining prior approval by the Council.

To date, Council has not approved of the attendance by a Councillor at any conference for the current 2011/2012 year.

It is to be noted also that the Council's Civic Expenses Policy requires (at Clr 2.2.1(n)) that after returning from a conference, delegates are to provide a written report detailing the specific sessions attended as well as other aspects of the conference.

Councillors' attention is also directed to the terms of the Policy which require that, where approval is given for attendance by a Councillor and expenditure is incurred by the Council for bookings, etc., and that Councillor does not attend, the costs expended by the Council will be recouped from the Councillor unless the non-attendance was due to business or family or medical emergency.

The 2011/2012 budget for conferences and seminars is \$48,200.00. Expenditure is \$375.27 as at July 25, 2011.



## AUBURN CITY COUNCIL

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Business & Finance  
Department

**217/11      Review of Council's Civic Expenses Policy**

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P-13-01/07      BC : PV

**SUMMARY**

The Council's Civic Expenses Policy is submitted as a draft for review.

**RECOMMENDATION**

- 1.    *That the draft Civic Expenses Policy as submitted be endorsed for public exhibition as per 2. below.***
- 2.    *That public notice be given pursuant to Section 253(1) of the Council's proposal to adopt a Civic Expenses Policy as determined in 1. above.***
- 3.    *That a further report be submitted following the exhibition period to enable adoption of a Civic Expenses Policy pursuant to Section 253(2) of the Act.***

**REPORT**

The Council's Policy for Payment of Expenses Incurred by and the Provision of Facilities to the Mayor, Deputy Mayor and Councillors (Civic Expenses Policy) was formally reviewed and adopted on 20<sup>th</sup> October, 2010 (vide Minute 264/10).

This report is submitted in compliance with Section 252(1) of the Local Government Act, 1993 (the Act) which prescribes that within 5 months of the end of each year a council must adopt a Civic Expenses Policy. The Council is therefore invited to review the draft Policy in the light of experience since the last review and/or any perceived shortcomings.

The review of October 2010 was to comply with the 'review' requirements of the Act, and essentially simply re-adopted the Council's then existing Civic Expenses Policy.

The draft Civic Expenses Policy with the minor amendments as detailed below, is therefore submitted for consideration as to the adequacy of expenses or reasonableness of its terms, with a view to it being adopted for the current 2011/2012 year.

Before adopting the Civic Expenses Policy (with any amendments to the draft as may be determined) the Council is required pursuant to Section 253(1) of the Act to give 28 days public notice of its intention to do so, and invite submissions unless a Council is of the opinion that the amendments are not substantial.

It is suggested nevertheless that if the Council concurs with all of the proposed alterations, the draft Policy be advertised pursuant to Section 253(1).

Minor amendments which are suggested for adoption and which have been incorporated in the draft relate to –

- i) Attendance at a maximum of 3 conferences per financial year at venues outside of the Sydney Metropolitan area, but at no more than 5 conferences in all.

### Review of Council's Civic Expenses Policy (cont'd)

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Comment – this can facilitate attendance by Councillors at up to two conferences within the Sydney metropolitan area which would not incur travel, accommodation and similar costs.

- ii) The conditions for the use of cab charge cards which were previously supported only by Procedure Statements separately to the Civic Expenses Code (refer Cl.2.2.4.2 d) ii).

Comment – to define within the Policy the procedure which is regularly followed.

- iii) The provision to Councillors of an IPAD and related internet plan where requested (refer Cl.3.2.3 e))

Comment – to maximise the benefit of technology for Councillors in the discharge of their duties.

- iv) The increase of the allowance payable by the Mayor per month for the use of the Mayoral vehicle for other than the discharge of civic duties and Council business from \$51.80 to \$53.40 in accordance with the movement in the CPI (refer Cl. 3.3(b)).

Comment – to give effect to the CPI provisions currently in the Policy.

The text for those amendments is shown in italics in the draft Policy.

A copy of the revised draft Civic Expenses Policy is circulated to all Councillors under separate cover, and is otherwise available for view on the Council's website, or by calling at the Customer Services counter.

### **ATTACHMENTS (to be circulated to Councillors under separate cover)**

Draft Civic Expenses Policy – T064001/2007

**AUBURN CITY COUNCIL**

August 10, 2011  
To the Ordinary Meeting of Council

Director's Report  
People and Places Department

**218/11 Adoption of the Sustainable Event Management Policy**

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P-13-01/07 BE : OG

**SUMMARY**

Determination is sought following the public exhibition of the Sustainable Event Management Policy.

**RECOMMENDATION**

***That the Sustainable Event Management Policy be adopted with no amendments.***

**REPORT**

At its Ordinary Meeting held on May 18, 2011, Council resolved to implement a Sustainable Event Management Policy to increase the ecological sustainability and decrease the environmental impact of major Council events and festivals.

The Sustainable Event Management Policy was placed on public exhibition for the period 19 May to 16 June 2011 and an advertisement regarding the public exhibition of the Policy appeared in the Auburn Review newspaper.

The Policy was placed on exhibition at Auburn Council Customer Service Centre; Auburn, Lidcombe Regents Park and Newington Libraries and on the Auburn City Council website.


Council did not receive any submissions during this public exhibition period.

**ATTACHMENTS**

1. Sustainable Event Management Policy - T029360/2011

Adoption of the Sustainable Event Management Policy (cont'd)

**ATTACHMENT 1**

 AUBURN CITY COUNCIL <small>Working Together for a Better Community</small>		
TRIM NUMBER: T029360/2011	REVISION: EXHIBITION COPY	PAGE: 1 of 7
DEPARTMENT: People and Places		
PROJECT: GENERAL POLICY MANUAL	REFERENCE: MANUAL OF STANDARD PROCEDURES	
DATE ADOPTED:	AUTHOR: DIRECTOR PEOPLE AND PLACES	AUTHORISATION: GENERAL MANAGER
TITLE: Sustainable Event Management Policy		REVIEW DATE:

**1. OBJECTIVE**

**1.1 Policy Objective**

The objective of this Sustainable Event Management Policy is to provide guidelines and appropriate standards to ensure events that are coordinated by Auburn City Council are operated within an environmentally sustainable manner.

It is aimed to create a framework for continuous improvement, whereby Council events can increase efficiency and standards of sustainability, through a process of education, awareness and improved systems.

**1.2 Policy Statement**

Events of the Auburn LGA are of essential importance to the local community, serving the purpose of celebrating, unifying and harmonising our diverse community.

Auburn City Council supports the principles of Sustainable Event Management and will pursue effective management of events in accordance with these principles.

To achieve the objective of Sustainable Event Management (SEM), Council events will need to be coordinated with consideration of 'Quadruple Bottom Line' (QBL) management, taking into account environmental, social, cultural (including governance) and economic factors in all decision making related to the planning, implementation and review of Council events.


Event management processes undertaken within these principles will reduce the direct and indirect impact of local events on the immediate and overall environment.

This Policy aims to have those people coordinating events give consideration to, and take the most sustainable and appropriate action, in regard to the following elements:

- Waste generation and allocation
  - Minimising waste produced by events
  - Maximising recycling of recyclables materials
  - Utilising bio-degradable products and packaging
- Efficient use of resources
  - Minimising energy consumption
  - Minimising water consumption

Adoption of the Sustainable Event Management Policy (cont'd)

**ATTACHMENT 1**

 <small>AUBURN CITY COUNCIL New South Wales Councils</small>		
TRIM NUMBER: T029360/2011	REVISION: EXHIBITION COPY	PAGE: 2 of 7
DEPARTMENT: People and Places		
PROJECT: GENERAL POLICY MANUAL	REFERENCE: MANUAL OF STANDARD PROCEDURES	
DATE ADOPTED:	AUTHOR: DIRECTOR PEOPLE AND PLACES	AUTHORISATION: GENERAL MANAGER
TITLE: Sustainable Event Management Policy		REVIEW DATE:

- Reducing Greenhouse gas emissions
  - Encouraging efficient methods of travel (public transport, walking)
  - Minimising vehicle usage
- Conserving the immediate natural environment
  - Ensuring venue and surrounds are not polluted, damaged or diminished

By practicing and promoting Sustainable Event Management, it is also aimed to provide a framework whereby suppliers, stakeholders, community groups, participants and the general public can be educated and influenced into the pursuance of these same practices.

**1.3 Scope**

This Policy will apply to all major events and festivals, planned and implemented by Council.

Council will also encourage community groups, independently planning events within the Auburn LGA to learn, adhere to and promote such sustainability principles.

**1.4 Definitions**

**Sustainability** – An enduring and balanced approach to economic activity, environmental responsibility and social progress


**Quadruple Bottom Line (QBL)** – The process of decision making with consideration for environmental, social, cultural (including governance) and economic factors.

**Greenhouse gas emission** – The release of atmospheric gases that contribute to the greenhouse effect by absorbing infrared radiation produced by solar warming of the Earth's surface. They include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (NO<sub>2</sub>), and water vapour.

**Bio-degradable** – The capability of a material of being decomposed by biological agents.

Adoption of the Sustainable Event Management Policy (cont'd)

**ATTACHMENT 1**

 <small>AUBURN CITY COUNCIL Many Cultures. One Community.</small>		
<b>TRIM NUMBER:</b> T029360/2011	<b>REVISION:</b> EXHIBITION COPY	<b>PAGE:</b> 3 of 7
<b>DEPARTMENT:</b> People and Places		
<b>PROJECT:</b> GENERAL POLICY MANUAL		<b>REFERENCE:</b> MANUAL OF STANDARD PROCEDURES
<b>DATE ADOPTED:</b>	<b>AUTHOR:</b> DIRECTOR PEOPLE AND PLACES	<b>AUTHORISATION:</b> GENERAL MANAGER
<b>TITLE:</b> Sustainable Event Management Policy		<b>REVIEW DATE:</b>

**2. REQUIREMENTS**

The Sustainable Event Management Policy will be the overarching framework within which the coordination of all events operated by Council should be undertaken.

In alignment with the International Best Practice, British Standard BS8901, this policy takes into account the 3 elements of Event Management; planning, implementation and review and addresses specific areas for consideration in each area.

Guidelines and checklists are also referenced in some aspects to assist with the assessment of options and the decision making process.

**2.1 Planning**


**2.1.1 Venue Selection**

Venues for Council events should be selected following a thorough site inspection, with consideration of Quadruple Bottom Line (QBL) factors and specifically the possibility of direct and indirect environmental impact. Some of these factors include:

- The natural environment of the venue and the possibility for the event to adversely affect, damage or diminish the natural environment,
- The ease of access into the venue site,
- The proximity of the venue to public transportation and the quality or reliability of these transportation options
- The proximity to the target audience's residence and the possibility of people walking or riding bicycles to the event
- Potential safety hazards in the vicinity that could affect the event or its participants
- Access to power and whether there are energy efficient systems in place, or the possibility of offsetting carbon emissions or using green power
- Access to water and whether there are water efficient systems in place and or rainwater tanks available for use
- Convenience for Waste Services to access venue regularly and potentially throughout the event and the ability of bins to be provided throughout the whole venue
- Potential effect on residents and/or businesses in the regional vicinity

Adoption of the Sustainable Event Management Policy (cont'd)

**ATTACHMENT 1**

 <small>AUBURN CITY COUNCIL Many Cultures. One Community.</small>		
<b>TRIM NUMBER:</b> T029360/2011	<b>REVISION:</b> EXHIBITION COPY	<b>PAGE:</b> 4 of 7
<b>DEPARTMENT:</b> People and Places		
<b>PROJECT:</b> GENERAL POLICY MANUAL		<b>REFERENCE:</b> MANUAL OF STANDARD PROCEDURES
<b>DATE ADOPTED:</b>	<b>AUTHOR:</b> DIRECTOR PEOPLE AND PLACES	<b>AUTHORISATION:</b> GENERAL MANAGER
<b>TITLE:</b> Sustainable Event Management Policy		<b>REVIEW DATE:</b>

**2.1.2 Catering**

Catering at events can have a significant impact on environmental, cultural and social sustainability in regard to the ingredients used, amount of waste generated and whether that waste is environmentally sound.

All efforts should be made to limit or eliminate disposable, single use or individually packaged items. Polystyrene products should not be used at all and disposable cutlery that is used should be made from compostable materials.

Where practical, outsourced catering suppliers should be selected based on decisions that address a variety of environmental, cultural and social sustainability factors.

These factors are outlined in the 'Sustainable Event Management Policy Guideline document 1.1 - Outsourced Catering Checklist'

**2.1.3 Waste**

All practical measures should be taken to minimise the waste generation from Council events. This policy identifies 4 sections where waste generation from events can be minimised. Appropriate actions for each section are included in, but not limited to the following points.

**2.1.3.1 Waste Avoidance**


- Planning for events and making decisions with minimising waste generation as an essential objective
- Taking steps to avoid waste altogether where possible
- Sourcing suppliers that are committed to the efficient use of resources
- Not using products or suppliers that use unnecessary packaging
- Where possible, re-using waste materials or donating them to organisations that could put the materials to use (eg, boxes, containers, bags, plastic scrim)

**2.1.3.2 Waste Collection and Allocation**

- Ensuring all suppliers and stallholders take responsibility for their own waste
- Ensuring parks and venues are left in a clean state following an event, utilising the services of Council litter pickers where necessary

Adoption of the Sustainable Event Management Policy (cont'd)

**ATTACHMENT 1**

 <small>AUBURN CITY COUNCIL MANY CULTURES ONE COMMUNITY</small>		
TRIM NUMBER: T029360/2011	REVISION: EXHIBITION COPY	PAGE: 5 of 7
DEPARTMENT: People and Places		
PROJECT: GENERAL POLICY MANUAL		REFERENCE: MANUAL OF STANDARD PROCEDURES
DATE ADOPTED:	AUTHOR: DIRECTOR PEOPLE AND PLACES	AUTHORISATION: GENERAL MANAGER
TITLE: Sustainable Event Management Policy		REVIEW DATE:

- Providing sufficient amounts of rubbish and recycling bins – in equal amounts, and clearly labelling each type of bin
- Utilising the recyclable bin lids, that clearly identify recycling bins from rubbish bins and minimise contamination of recycling bins

2.1.3.3 Waste Education

- Producing signage for events that educate the public in appropriate waste disposal
- Using Council presence at an event (eg, through the Council stall) to deliver waste education material
- Encouraging the public to comply with appropriate waste disposal through announcements over the PA system

2.1.3.4 Liquid/Trade Waste

- Ensuring all suppliers and stallholders take responsibility for their own liquid and oil waste, removing it from the venue site
- Ensuring there is no discharge of oils or other liquid trade waste into any stormwater drains or public toilets

The 'Sustainable Event Management Policy Guideline document 1.2 - Waste Management Checklist' should be used as an aide to planning for effective waste management at events.

**2.1.4 Marketing and Promotion**

Sustainable Event Management (SEM) principles should be considered when undertaking Marketing and Promotion activities and their environmental impact. There are various methods to keep excessive printed paper waste to a minimum in both pre-event promotion and administration and on-site event operations.

This process of the planning stage can also be used to educate people on SEM.


Where possible the following methods should be utilised when carrying out marketing and promotional activities:

- Electronic promotional methods such as website advertisements, email mailouts, social media, foyer screens, should be utilised to full advantage and in favour of printed material where appropriate
- Promotional products should be printed on recyclable content paper stock
- Where appropriate, minimise paper usage by printing on both sides
- Utilising existing print media (council newsletters, rates notices, newsletters and papers) to promote events to reduce extra waste generation



Adoption of the Sustainable Event Management Policy (cont'd)

**ATTACHMENT 1**

 <small>AUBURN CITY COUNCIL MAYYUJULUJULUJULUJULUJULUJULUJULU</small>		
TRIM NUMBER: T029360/2011	REVISION: EXHIBITION COPY	PAGE: 6 of 7
DEPARTMENT: People and Places		
PROJECT: GENERAL POLICY MANUAL	REFERENCE: MANUAL OF STANDARD PROCEDURES	
DATE ADOPTED:	AUTHOR: DIRECTOR PEOPLE AND PLACES	AUTHORISATION: GENERAL MANAGER
TITLE: Sustainable Event Management Policy		REVIEW DATE:

- Printed handouts and show bags should be kept to a minimum
- Online registration and electronic forms can also be utilised in favour of printed material during administrative activities
- Utilise promotional activities to communicate the message of SEM principles, waste education and the encouragement of public transportation use

**2.1.5 Training/ Education**

During any opportunities to train, inform or educate people, specific attention should be given to the SEM principles of the event. This applies to all relevant people involved in delivering the event including staff, volunteers, security, suppliers, contractors, performers, stallholders and the general public.

This training and education component can occur in a variety of circumstances such as through any correspondence, promotion or seminars prior to the event as well as at team briefings, discussion, signage and PA announcements during the event.

**2.2 Implementation**

The implementation phase of an event is where all the planning processes come together and the success of implementation will be determined by how well the planning phase has been undertaken. Therefore the implementation phase is a matter of putting the planned activities into action in an effective and functioning manner.

To ensure the effective implementation of sustainable principles into an event, adequate levels of staffing, appropriate methods and procedures need to be in place to enable organisers and stakeholders to positively contribute and fulfil the sustainability objectives of the event.


Observance of stakeholders' activities during the event to ensure they are operating within the instructions provided previously is essential to effective implementation. All staff and volunteers should be adequately trained in the sustainability principles of the event and systems of observation and enforcement should be in place.

Where practical, checklists and guideline documents should be utilised to make assessment on the action or supplier to be taken in regard to sustainability factors.

During the implementation process it is essential that resource consumption is monitored and controlled. This includes ensuring that energy and water usage is kept to a minimum and no wastage occurs through excessive or unnecessary use.

Adoption of the Sustainable Event Management Policy (cont'd)

**ATTACHMENT 1**

 <small>AUBURN CITY COUNCIL Many Cultures. One Community.</small>		
<b>TRIM NUMBER:</b> T029360/2011	<b>REVISION:</b> EXHIBITION COPY	<b>PAGE:</b> 7 of 7
<b>DEPARTMENT:</b> People and Places		
<b>PROJECT:</b> GENERAL POLICY MANUAL		<b>REFERENCE:</b> MANUAL OF STANDARD PROCEDURES
<b>DATE ADOPTED:</b>	<b>AUTHOR:</b> DIRECTOR PEOPLE AND PLACES	<b>AUTHORISATION:</b> GENERAL MANAGER
<b>TITLE:</b> Sustainable Event Management Policy		<b>REVIEW DATE:</b>

**2.3 Review**

As with effective event management, a system of review following the event to assess what was effective and where there is a need for improvement is required to facilitate effective SEM and the ongoing process of continuous improvement.

This review process can encompass further correspondence with suppliers, stallholders and other event stakeholders, survey forms completed by event attendees, thorough inspection of the immediate natural environment and feedback from other stakeholders (eg, waste operators on the level of recyclables contamination).

The Sustainable Event Management Policy Guideline document 1.3 – Customer Survey Form is a survey document that aims to obtain information from the event attendees in regard to the event's sustainability and environmental impact. This form should be supplied at the Council stall at events and attendees encouraged to complete it.

Information received through guideline, checklist and survey documents should be collated and assessed to reveal areas needed for improvement. The Sustainable Event Management Policy Guideline document 1.4 – Sustainability Review is a document that should be used to collate the general findings of the survey.

A sub-report, in addition to a post event report, should list all findings coming out of the review and make recommendations for change or amendment for future events.

**3. RELATED DOCUMENTS**

- Sustainable Event Management Policy Guideline document 1.1 - Outsourced Catering Checklist
- Sustainable Event Management Policy Guideline document 1.2 - Waste Management Checklist
- Sustainable Event Management Policy Guideline document 1.3 - Customer Survey Form
- Sustainable Event Management Policy Guideline document 1.4 - Sustainability Review

**AUBURN CITY COUNCIL**

August 10, 2011  
To the Ordinary Meeting of Council

Committee Report

**219/11 Internal Audit and Governance Committee**

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C-29-40 HC : MW

**SUMMARY**

The Governance Committee, chaired by Arthur Butler (appointed by Council in 2010), convened on May 12, 2011 in its second meeting for the financial year 2010-11. The meeting was attended by the General Manager, Manager Finance, the External Auditor and the Internal Auditor.

The Governance Committee reviewed, inter alia, the three year internal audit program formulated jointly by the Departmental Heads and Internal Audit and the Legislative Compliance policy as part of the Governance Framework. The Committee recommends the following to Council:

**RECOMMENDATION**

- 1. That the minutes of the Governance Committee held on May 12, 2011 be received and the recommendations contained therein, adopted.***
- 2. That the three year Internal Audit Program (Attachment 2) be adopted.***
- 3. That the draft Legislative Compliance Policy (Attachment 3) be adopted.***

**REPORT**

A meeting of Council's Governance Committee was held on May 12, 2011. The minutes of that meeting are attached.

**Internal Audit Program**

The discussions with Departmental Heads resulted in the formulation of the strategic internal audit program for the next 3 years 2011/12-2014.

The cost is based on estimated number of days per audit item at a cost of \$1025.00 per day for external consultant.

There are 52 audit items scheduled for 3 years. They are estimated at 472 days duration and at a cost of \$189,805.00. 187 Days are estimated for external audit and 285 days for internal self assessment.

The proposed annual program is scoped and estimated to cost \$88,305.00.

**Legislative Compliance**

The Council has an obligation to its stakeholders, staff and the wider community to ensure compliance with the law. If offences are committed by Council or people at Council as a result of legislation not being complied with, Council, staff and Councillors could be prosecuted, Council could be sued and there could be significant loss of reputation.

#### Internal Audit and Governance Committee (cont'd)

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Auburn City Council, in its role as a local government authority, is committed to compliance with all statutory and common law requirements relating to operations and governance of Council.

It was recommended a comprehensive list of Legislation applicable to Council be developed, allocate responsibility for each piece of Legislation to a responsible Officer, and seek an attestation each year from that officer as to compliance with the legislation.

The principles set out in the Draft Policy aim to:

1. Prevent, and where necessary, identify and respond to breaches of laws, regulations, codes or organisational standards occurring in the organisation;
2. Promote a culture of compliance within the organisation; and
3. Assist the Council in achieving the highest standards of governance

The Committee sought an ongoing progress report on implementation of these initiatives to the Committee on a bi annual basis.

#### **Resolutions for Council**

The Committee recommends:

1. That the minutes of the Governance Committee held on May 12, 2011 be received and the recommendations contained therein, adopted.
2. That the three year Internal Audit Program (Attachment 2) be adopted.
3. That the draft Legislative Compliance Policy (Attachment 3) be adopted.

#### **ATTACHMENTS**

1. Governance Committee Meeting Minutes - 12 May 2011 - T041950/2011
2. Strategic Internal Audit Program - T041953/2011
3. Draft Legislative Compliance Policy - T041956/2011

Internal Audit and Governance Committee (cont'd)

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**ATTACHMENT 1**

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**AUBURN CITY COUNCIL**  
MINUTES OF THE  
**GOVERNANCE COMMITTEE MEETING**  
HELD IN THE JACK LANG ROOM  
CIVIC PLACE, 1 SUSAN STREET, AUBURN  
ON THURSDAY, MAY 12, 2011  
COMMENCING AT 9:30AM

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**PRESENT**

Arthur Butler (Chairperson)

**IN ATTENDANCE**

John Burgess (General Manager), Dennis Banevic (External Auditor), Habib Chamas (Internal Auditor) and HonWing Ho (Manager Finance).

**APOLOGIES**

Councillor Ned Attie and Graeme Thomas (Director Business & Finance)

**Disclosure of Interests**

There were no disclosures of interests.

**Minutes of Previous Meeting and Matters Arising**

The minutes of the previous meeting (February 10, 2011) were adopted.

**Matters Arising:**

- Include, in the Action Log table -Status Column, a comment for all items including the Agenda Item if listed on the Agenda to make sure nothing is overlooked if carried forward.
- Correct typo 20009/10 to read 2009/10 (Page 3)

**Internal Audit Program**

The Chief Audit Officer presented the Committee the three year Internal Audit program which included the proposed annual program.

The General Manager pointed out the financial resources of the audit plan as drafted will need to be evaluated against competing claims when being assessed by Council. It was agreed to:

- Put the 2011/2012 program as drafted to Council but to make the scope of the Procurement Audit more focussed;
- Review the remaining two years of the plan to reduce the number of audits and resource requirements but to also consider inclusion of audits into Accounts Payable in order to test the internal control framework and an audit into the OH&S framework.
- Include in the Audit Actions Follow-up Register the following headings: Audit , Date conducted, Agreed Action, Risk Ranking , Responsible Officer, Due Date , Status, and Control Ranking.
- A Presentation on the Organisational Risk Management Framework is to be made at the next Governance Committee meeting

**Legislative Compliance**

Internal Audit and Governance Committee (cont'd)

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**ATTACHMENT 1**

Draft Policy to be submitted to Council as amended recommending adoption.

It was recommended a comprehensive list of Legislation applicable to Council be developed, allocate responsibility for each piece of Legislation to a responsible Officer, and seek an attestation each year from that officer as to compliance with the legislation.

The Committee sought an ongoing progress report on implementation of these initiatives to the Committee on a bi annual basis.

**Fraud and Corruption**

After a brief presentation on Fraud and Corruption and action taken by Council to date, it was agreed to review the Fraud and Corruption Policy and associated documents with a view to updating content and resubmit the revised Policy to the Committee for consideration.

**Investment, Policies and Procedures**

The Investment Report ended April 2011 was considered and the revised Investment Policy provided to the Committee. The Investment Reports are to be provided at each meeting of the Committee.

**Financial Performance of the Organisation against Budget**

The March Quarterly Report was considered. It will be provided each quarter to the Committee.

**Financial Position and Statements**

The Committee was provided with a brief on changes in accounting standards and policies and major issues impacting on the Annual Financial Statements.

The Committee agreed it would review the Annual Financial Statements after a review by the External Auditor of the draft statements and advice provided by the External Auditor as to content.

**Other Matters**

Presentation is to be made to the next Committee Meeting on

- the Internal Control Framework
- the Enterprise Risk Management Framework
- The General Manager reported that the filling of the vacant independent position on the Governance Committee is in the process of being filled.

**Resolutions for Council**

The Committee recommends that:

1. Council adopt the Minutes of the second meeting of the Governance Committee held on 12 May 2011. Attachment 1
2. Adopt the Draft legislative compliance policy as part of the Council Governance Framework. Attachment 2; and
3. Adopt the amended internal audit program for year 2011/2012 and further consider subsequent years of the Audit program after the Governance Committee have further considered the Program at its next meeting. Attachment 3.

**Action Item Log:**

Ref	Action Item Description	Due Date	Responsibility	Status
1	Include, in the Action Log table - Status	ASAP	HC	Completed

Internal Audit and Governance Committee (cont'd)

**ATTACHMENT 1**

	Column, a comment for all items including the Agenda Item if on the Agenda to make sure nothing is overlooked if carried forward.			
2	Correct typo 20009/10 to read 2009/10 (Page 3)		HC	Completed
3	Put the 2011/2012 program as drafted to Council but to make the scope of the Procurement Audit more focussed.	ASAP and before next GC meeting	HC	
4	Review the remaining two years of the plan to reduce the number of audits and resource requirements but also consider inclusion of audits into <u>Accounts Payable</u> in order to test the internal control framework and an audit into <u>OH&amp;S</u> framework.	By next meeting	HC	
5	Include in the Audit Actions Follow up Register the following headings: Audit , Date conducted, Agreed Action, Risk Ranking , Responsible Officer, Due Date , Status, and Control Ranking	One week before next Council meeting	HC	Completed
6	Prepare a presentation on the organisational risk management framework and Internal Control Framework for next meeting.	By next meeting	HC	
7	Review policy as submitted to make a draft council policy and delete the detail on page 2 and include that detail inter alia in associated procedures.	By next meeting	HC	
8	Develop a comprehensive list of legislation applicable to Council and allocate responsibility, and seek an attestation each year	Next meeting	JB	
9	Review the Fraud and Corruption policy and resubmit to GC.	ASAP	HC	

Internal Audit and Governance Committee (cont'd)

**ATTACHMENT 2**

**Attachment 2 - Strategic Internal Audit Program**

The discussions with Departmental Heads resulted in the following proposed internal audit program for the next 3 years 2011/12-2014.

The cost is based on estimated number of days per audit item at a cost of \$1025 per day for external consultant (The internal audit bureau (IAB) quoted \$145 per hour + GST).

There are 52 audit items scheduled for 3 years. They are estimated at 472 days duration and at a cost of \$189,805 (Table 1). 187 Days are estimated for external audit and 285 days for internal self assessment.

Self assessment will be conducted through reinforcement of internal controls and testing/auditing the effectiveness of those controls in mitigating the identified risks through Council Enterprise Risk Management system (Guardian).

**Table 1 - Three Years Program Cost and Duration**

Year	Cost	Days External	Days Internal	Total
Y1	\$ 88,305.00	87	108	195
Y2	\$ 40,600.00	40	95	135
Y3	\$ 60,900.00	60	82	142
Total	\$ 189,805.00	187	285	472

**Number of Audits**

The external and internal audits proposed are as per table 2:



Internal Audit and Governance Committee (cont'd)

**ATTACHMENT 2**

Table 2 - Number of Audits by Dept/Year

Ext Aud	Year1	Year2	Year3	Total
BF	3	0	3	6
PP	0	0	0	0
PE	1	3	2	6
GM	0	1	1	2
WS	2	2	3	7
<b>Total</b>	<b>6</b>	<b>6</b>	<b>9</b>	<b>21</b>
Int Aud	Year1	Year2	Year3	Total
BF	2	1	3	6
PP	0	0	2	2
PE	1	6	3	10
GM	6	0	0	6
WS	1	3	3	7
<b>Total</b>	<b>10</b>	<b>10</b>	<b>11</b>	<b>31</b>
Int + Ext	Year1	Year2	Year3	Total
<b>BF</b>	<b>5</b>	<b>1</b>	<b>6</b>	<b>12</b>
<b>PP</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>2</b>
<b>PE</b>	<b>2</b>	<b>9</b>	<b>5</b>	<b>16</b>
<b>GM</b>	<b>6</b>	<b>1</b>	<b>1</b>	<b>8</b>
<b>WS</b>	<b>3</b>	<b>5</b>	<b>6</b>	<b>14</b>
<b>Total</b>	<b>16</b>	<b>16</b>	<b>20</b>	<b>52</b>

**Annual Program**

The annual program is based on the ranking and priorities determined in consultation with all parties concerned. A risk rating over 200 was considered high, between 100 and 200 moderate, and below 100 rated Low. Some of the audits are regulatory requirements.

The annual program was scoped briefly by Internal Audit in order to frame the estimated cost and number of days. Listing of auditable areas is as follows (Table 3):

Internal Audit and Governance Committee (cont'd)

**ATTACHMENT 2**  
**Table 3 - Annual Program Listing**

Scenario: ACC Strategic Annual Audit Program		Score	Year	87	COST
DEPT	Risk Areas	Y1	DAVS Y1	\$	
				88305	
BF	Procurement	296	20	20300	Full review of the controls that ensure that: - Council achieves value for money from its procurement of goods and services and - The procurement process (Tendering/Contracts/Purchasing) is efficient and effective. - That information systems are procured, developed best meet the needs of the Council, represent value for money and are effectively implemented.
PE	Assessment & Determination (DA, CC, BC, OC, Planning Proposal)	279	16	16240	Development Applications including Peer Review process completed, Correct fee payment, Section 94 contributions levied correctly and in GEAC Pathway system, DCP departures outlined in assessment report, and ICAC self assessment lines. Construction Certificates includes: Assessment of certificates that do not exceed BFB certification (presently cannot issue CC on fire engineered buildings), Correct fee payment, Inspections recorded GEAC Pathway system, Peer Review process completed. Building Certificates includes: Correct fee payment, Assessment report completed, Peer Review process completed.
WS	Contractual Agreements & Management	265	12	12180	Major contracts review: Precontractual stage, in contract, and final process.
WS	Asset Management (replacement, security, disposal)	206	15	15225	Full review of Asset Management (replacement, security, disposal), economic use, and reflection in Council books.
BF	Cost control	87	12	12180	Full review of the controls that ensure that: - Cash and bank accounts held by Council are held and used effectively and securely. - Credit control is working effectively and debts are identified and promptly resolved. - Accounts Payable and Receivable are accurate and timely. - Council's financial accounts are prepared using accurate, complete and timely information and that appropriate accounting procedures, methods and standards are applied. - Funds due to Council are promptly and securely collected. - Council's management accounts are prepared using accurate, complete and timely information and that subsequent reports meet the needs of Council and are themselves accurate, complete and timely. - The controls operating over the corporate and departmental budgeting process to ensure that Council accurately predicts its financial requirements, sets budgets effectively and adequately manages those budgets. Cost control (Expenses and Budgets, Recoupment/GL Reconciliations/Tax Compliance/Travel) and Cash and Bank (incl. Reconciliations, credit cards, transfers, EFTPOS, Petty Cash).
BF	Payroll Processes (Time recording and leave management)	14	12	12180	Breach of statutory regulations, Fraud/misappropriation, Ghost employees, Wrong amount paid to employee, Timesheet incorrect, Salaries/Wages Payment Not Made, Payments made late, Duplicate payment, Overpayment, No payslip, Payslip Inaccurate/Incomplete, Tax deducted incorrect, Loss of income, Superannuation liability, Unauthorised deductions made, Sums deducted unidentifiable, Fines/fees/censure, Continuing responsibility for PAYE, Cash Lost or Stolen, Unclaimed Wages Lost or Stolen, Disgruntled Employee, Overspending, Costs charged incorrectly, Pay awards implemented incorrectly, Sick pay incorrect Benefits claimed when not entitled, Payments made incorrectly, Breach of statutory regulations, Fraud/misappropriation, Tax deducted incorrect, Benefits claimed when not entitled, E.g. sickness and maternity benefit, etc.
GM	Corruption/fraud control and prevention	254	15	0	Self Assessment
GM	Compliance with the Code of Conduct (Conflicts of interest, Registers, Training/Delegations)	194	10	0	Self Assessment
WS	Project Management	134	15	0	Full review of the controls that ensure that capital projects best meet Council's needs, are planned and executed to budget and time and represent value for money.
GM	Governance (Policies/Procedures/Codes/Registers/Legislative Compliance Programs and Mgt Plan Alignment)	110	10	0	Self Assessment
GM	Training & Development	65	10	0	Self Assessment. To ensure that staff continue to develop their skills and experiences.
PE	Use of Drive 24 System (RTA)	48	6	0	Self Assessment
GM	Mayoral Services (Civic Functions/Ceremonies/PR and Communications/Councillors Services)	26	10	0	Self Assessment
GM	Economic Development and Commercial Activities	16	15	0	Self Assessment
BF	Investments/Grants/Loans External & Internal	14	12	0	Full review of the controls that ensure that Council's investments and financing achieves value for money and is secure.
GM	Occupational Health and Safety	14	12	0	Full review of the controls that ensure that OH & S processes comply and fulfill Council obligations towards legislations and staff health and safety.

The program will be reviewed annually to ensure its currency and relevance to Council objectives. Putting the 3 year program to tender is an option. The Internal Audit Bureau quoted \$145 per hour plus GST with no (\$5 an hour increase) in the next financial year. The savings may not be material to justify further delays in the program. If Council is not satisfied with the IAB services an alternate course of action can be taken at the next end of year review.

Internal Audit and Governance Committee (cont'd)

**ATTACHMENT 2**

It is **proposed** that the committee receive the program and **recommend to Council** the following:

1. Adoption of the annual program as listed in Table 3.
2. Funding of the annual program for an estimated amount \$88305 in the financial year 2011/12 and the commissioning of the Internal Audit Bureau (IAB) to carry out the work.

*Please note: Worksheets are attached in PDF for information.*

## Methodology

The Audit Planning involved risk ranking a number of risk areas (auditable units) and allocating audit resources to the risk areas on a three year basis.

The risk areas were discussed with departmental heads and evaluated individually with the internal auditor.

To three-year strategic audit plan was based on the following methodology:

1. Establish risk area groups to reflect the organisational structure.
2. Create a set of risk factors and allocate weight (Table 4)

**Table 4 Risk Factors**

Risk Factors							
Complexity	Dependency	Materiality	Organisational Survival	Regulatory level	Reputational Impact	Staff Number	Strategic Importance
1.3	1	1.5	3	1.2	3	1	2

3. Risk-rank the risk areas within each department (Table 5).
4. Risk-rank the risk areas within Council (Table 6).
5. Produce a three-year audit plan (Table 7)
6. Produce an annual program (Table 8)
7. Scope the annual program.

The proposed program is in line with major risk areas compiled in NSW Councils through the local government internal auditors network (LGIAN). See Table 9.

Internal Audit and Governance Committee (cont'd)

**ATTACHMENT 2**  
**Table 5 Risk Rating by Department**

Scenario: ACC Strategic Three Years Rolling Program																													Score		
Risk Areas		Risk Factors																													
Risk RANKING BY DEPARTMENTS		Complexity			Dependency			Materiality			Organisational Survival			Regulatory level			Reputational Impact			Staff Number			Strategic Importance								
REF	BA	Risk Factor Weight			1,3			1			1,5			3			1,2			3			1			2					
		C	L	R	C	L	R	C	L	R	C	L	R	C	L	R	C	L	R	C	L	R	C	L	R	C	L	R	C	L	R
BF1	BF	Procurement/Tendering/Contracts/Purchasing/AP/Stores/Inventory/Supplies and office equipment																											296	H	
BF2	BF	Risk Management - Business Continuity & Disaster Recovery																											183	M	
BF3	BF	Records Management & Data Protection																											129	M	
BF4	BF	Cost control/(Expenses and Budgets, Recoupment/GL Reconciliations/Tax Compliance/Travel)																											87	L	
BF5	BF	IT (Applications, Change Management, Network Security, Support, Communication)																											70	L	
BF6	BF	Income Collection/Receivables/ fees and charges																											66	L	
BF7	BF	Cost Control (Cash and Bank incl, Reconciliations, credit cards, transfers, EFTPOS, Petty Cash)																											25	L	
BF8	BF	Contractor Selection, mgt, and performance monitoring																											23	L	
BF9	BF	Recruitment/Hiring/consultants/Casual/Contractors																											14	L	
BF10	BF	Investments/Grants/Loans External & Internal																											14	L	
BF11	BF	Payroll Processes (Time recording and leave management)																											14	L	
BF12	BF	Customer Service (incl Counter and Call centre)																											14	L	
GM1	GM	Corruption/fraud control and prevention																											254	H	
GM2	GM	Compliance with the Code of Conduct (Conflicts of interest, Registers, Training, Delegations)																											194	M	
GM3	GM	Governance (Policies/Procedures/Codes/Registers/Legislative Compliance Programs and Mgt Plan Alignment)																											110	M	
GM4	GM	Training & Development																											65	L	
GM5	GM	Mayoral Services (Civic Functions/Ceremonies/PR and Communications/Councillors Services)																											26	L	
GM6	GM	Economic Development and Commercial Activities																											16	L	
PE1	PE	Assessment & Determination (DA, CC, BC, OC, Planning Proposal)																											279	H	
PE2	PE	Corporate Planning																											108	M	
PE3	PE	Certificates (S149)																											98	L	
PE4	PE	S94 Contributions (preparation, updating, indexation, application, rates)																											74	L	
PE5	PE	Planning Processes (LEP, DCP, Public Domain)																											74	L	
PE6	PE	Fire Safety (Essential Services)																											48	L	
PE7	PE	Use of Drive 24 System (RTA)																											48	L	
PE8	PE	Public Health (Food & Cooling Towers)																											39	L	
PE9	PE	Environmental Management																											38	L	
PE10	PE	Abandoned Vehicle Process																											35	L	
PE11	PE	Animal Management																											31	L	
PE12	PE	Development Control																											30	L	
PE13	PE	Duty Planning																											27	L	
PE14	PE	Parking Control																											20	L	
PP1	PP	Child Care Centre Mgt																											26	L	
PP2	PP	Senior/Aged Care Units Mgt																											14	L	
WS1	WS	Contractual Agreements & Management																											265	H	
WS2	WS	Asset Management (replacement, security, disposal)																											206	H	
WS3	WS	Project Management																											134	M	
WS4	WS	Storm Water Management (Quality, Qty, Network systems)																											115	M	
WS5	WS	Traffic Management & Road Maintenance																											61	L	
WS6	WS	Waste Management/Operations/Gangs & Recycling & Commercial																											58	L	
WS7	WS	Workshop Operations (Plant and Fleet Mgt)																											54	L	
WS8	WS	Property Acquisition / Sale																											53	L	
WS9	WS	Facilities Management & Operations & Bookings (Gardens, Golf, Parks)																											40	L	
WS10	WS	Drivers Licensing & Training																											28	L	
WS11	WS	Car Park Management																											27	L	
WS12	WS	Hoardings Fees																											25	L	
WS13	WS	Disabled Persons Facilities																											24	L	
WS14	WS	Tourism and Tourist Information																											22	L	

Internal Audit and Governance Committee (cont'd)

**ATTACHMENT 2**  
Table 6 Ranking by Dept

		<b>Scenario: ACC Strategic Three Years Rolling Program</b>	<b>Score</b>	
		<b>Risk Areas</b>		
		<b>Risk RANKING BY DEPARTMENTS</b>		
<b>REF</b>	<b>BA</b>	<b>Risk Factor Weight</b>		
BF1	BF	Procurement/Tendering/Contrcats/Purchasing/AP/Stores/Inventory/Supplies and office equipment	296	H
BF2	BF	Risk Management - Business Continuity & Disaster Recovery	183	M
BF3	BF	Records Management & Data Protection	129	M
BF4	BF	Cost control(Expenses and Budgets, Recoupment/GL Reconciliations/Tax Compliance/Travel)	87	L
BF5	BF	IT (Applications, Change Management, Netw ork Security, Support, Communication)	70	L
BF6	BF	Income Collection/Receivables/ fees and charges	66	L
BF7	BF	Cost Control (Cash and Bank incl, Reconciliations, credit cards, transfers, EFTPOS, Petty Cash)	25	L
BF8	BF	Contractor Selection, mgt, and performance monitoring	23	L
BF9	BF	Recruitment/Hiring/consultants/Casual/Contractors	14	L
BF10	BF	Investments/Grants/Loans External & Internal	14	L
BF11	BF	Payroll Processes (Time recording and leave management)	14	L
BF12	BF	Customer Service (incl Counter and Call centre)	14	L
GM1	GM	Corruption/fraud control and prevention	254	H
GM2	GM	Compliance with the Code of Conduct (Conflicts of interest, Registers, Training,Delegations)	194	M
GM3	GM	Governance (Policies/Procedures/Codes/Registers/Legislative Compliance Programs and Mgt Plan Alignment)	110	M
GM4	GM	Training & Development	65	L
GM5	GM	Mayoral Services (Civic Functions/Ceremonies/PR and Communications/Councillors Services)	26	L
GM6	GM	Economic Development and Commercial Activities	16	L
PE1	PE	Assessment & Determination (DA, CC, BC, OC, Planning Proposal)	279	H
PE2	PE	Corporate Planning	108	M
PE3	PE	Certificates (S149)	94	L
PE4	PE	S94 Contributions (preparation, updating, indexation, application, rates)	78	L
PE5	PE	Planning Processes (LEP, DCP, Public Domain)	74	L
PE6	PE	Fire Safety (Essential Services)	48	L
PE7	PE	Use of Drive 24 System (RTA)	48	L
PE8	PE	Public Health (Food & Cooling Tow ers)	39	L
PE9	PE	Environmental Management	38	L
PE10	PE	Abandoned Vehicle Process	35	L
PE11	PE	Animal Management	31	L
PE12	PE	Development Control	30	L
PE13	PE	Duty Planning	27	L
PE14	PE	Parking Control	20	L
PP1	PP	Child Care Centre Mgt	26	L
PP2	PP	Senior/Aged Care Units Mgt	14	L
WS1	WS	Contractual Agreements & Management	265	H
WS2	WS	Asset Management (replacement, security, disposal)	206	H
WS3	WS	Project Management	134	M
WS4	WS	Storm Water Management (Quality, Qty, Netw ork systems)	115	M
WS5	WS	Traffic Management & Road Maintenance	61	L
WS6	WS	Waste Management/Operations/Gangs & Recycling & Commercial	58	L
WS7	WS	Workshop Operations (Plant and Fleet Mgt)	54	L
WS8	WS	Property Acquisition / Sale	53	L
WS9	WS	Facilities Management & Operations & Bookings (Gardens, Golf, Parks)	40	L
WS10	WS	Drivers Licensing & Training	28	L
WS11	WS	Car Park Management	27	L
WS12	WS	Hoardings Fees	25	L
WS13	WS	Disabled Persons Facilities	24	L
WS14	WS	Tourism and Tourist Information	22	L

Internal Audit and Governance Committee (cont'd)

**ATTACHMENT 2**

Table 7 Ranking All

Scenario: ACC Strategic Three Years Rolling Program		Score	87	40	60	1015				
Risk Areas		Year	108	95	82	COST				
BA	Risk Factor Weight	Y1	Y2	Y3	DAVS1	DAVS2	DAVS3	\$	\$	\$
	Note 1=External Audit 2=Internal Audit ----->							88305	40600	60900
BF	Procurement	296	1			20		20300	0	0
PE	Assessment & Determination (DA, OC, BC, OC, Planning Proposal)	279	1			16		16240	0	0
WS	Contractual Agreements & Management	265	1			12		12180	0	0
GM	Corruption/fraud control and prevention	254	2			15		0	0	0
WS	Asset Management (replacement, security, disposal)	206	1			12		12180	0	0
GM	Compliance with the Code of Conduct (Conflicts of interest, Registers, Training, Delegations)	194	2			12		0	0	0
BF	Risk Management - Business Continuity & Disaster Recovery	183		1	0		10	0	0	10150
WS	Project Management	134	2			15		0	0	0
BF	Records Management & Data Protection	129		2	0		7	0	0	0
WS	Storm Water Management (Quality, Qty, Network systems)	115		1	0	5		0	5075	0
GM	Governance (Policies/Procedures/Codes/Registers/Legislative Compliance Programs and Mgt Plan Alignment)	110		1	10	10		0	10150	0
PE	Corporate Planning	108		2	0	10		0	0	0
PE	Certificates (S149)	94		2	0	5		0	0	0
BF	Cost control	87	1			15		15225	0	0
PE	S94 Contributions (preparation, updating, indexation, application, rates)	78		1	0		10	0	0	10150
PE	Planning Processes (LEP, DCP, Public Domain)	74		1	0	10		0	10150	0
BF	IT (Applications, Change Management, Network Security, Support, Communication)	70		1	0		10	0	0	10150
BF	Income Collection/Receivables/ fees and charges	66		2	0		10	0	0	0
GM	Training & Development	65	2			10		0	0	0
WS	Traffic Management & Road Maintenance	61		1	0		5	0	0	5075
WS	Waste Management/Operations/Gangs & Recycling & Commercial	58		1	0	5		0	5075	0
WS	Workshop Operations (Plant and Fleet Mgt)	54		1	0		5	0	0	5075
WS	Property Acquisition / Sale	53		1	0		5	0	0	5075
PE	Fire Safety (Essential Services)	48		1	0	5		0	5075	0
PE	Use of Drive 24 System (RTA)	48	2	2	2	10	5	5	0	0
WS	Facilities Management & Operations & Bookings (Gardens, Golf, Parks)	40		2	0	10		0	0	0
PE	Public Health (Food & Cooling Towers)	39		2	0	10		0	0	0
PE	Environmental Management	38		1	0		5	0	0	5075
PE	Abandoned Vehicle Process	35		2	0	5		0	0	0
PE	Animal Management	31		2	0	5		0	0	0
PE	Development Control	30		1	0	5		0	5075	0
WS	Drivers Licensing & Training	28		2	0	15		0	0	0
PE	Duty Planning	27		2	0	10		0	0	0
WS	Car Park Management	27		2	0	15		0	0	0
GM	Mayoral Services (Civic Functions/Ceremonies/PR and Communications/Councillors Services)	26	2			6		0	0	0
PP	Child Care Centre Mgt	26		2	0		5	0	0	0
BF	Cash and Bank (incl, Reconciliations, credit cards, transfers, EFTPOS, Petty Cash)	25	2			0		0	0	0
WS	Hoardings Fees	25		2	0		15	0	0	0
WS	Disabled Persons Facilities	24		2	0		15	0	0	0
BF	Contractor Selection, mgt, and performance monitoring	23		2	0		5	0	0	0
WS	Tourism and Tourist Information	22		2	0		15	0	0	0
PE	Parking Control	20		2	0	10		0	0	0
GM	Economic Development and Commercial Activities	16	2		1	10		5	0	5075
BF	Customer Service (incl Counter and Call centre)	14		2	0	15		0	0	0
BF	Investments/Grants/Loans External & Internal	14	2			15		0	0	0
BF	Payroll Processes (Time recording and leave management)	14	1			12		12180	0	0
BF	Recruitment/Hiring/consultants/Casual/Contractors	14		1	0		5	0	0	5075
GM	Occupational Health and Safety	14	2			15		0	0	0
PP	Senior/Aged Care Units Mgt	14		2	0		5	0	0	0

Internal Audit and Governance Committee (cont'd)

**ATTACHMENT 2**  
**Table 8 - Annual Program Scoped**

Scenario: ACC Strategic Annual Audit Program		Score	Year	108	COST	
DEPT	Risk Areas	Score	Y1	DAVSY1	\$	
BF	Procurement	296	20	20300		Full review of the controls that ensure that: - Council achieves value for money from its procurement of goods and services and - The procurement process (Tendering/Contracts/Purchasing) is efficient and effective. - That information systems are procured, developed best meet the needs of the Council, represent value for money and are effectively implemented.
PE	Assessment & Determination (DA, CC, BC, OC, Planning Proposal)	279	16	16240		Development Applications including Peer Review process completed, Correct fee payment, Section 94 contributions levied correctly and in GEAC Pathway system, DCP departures outlined in assessment report, and ICAC self assessment lines. Construction Certificates includes: Assessment of certificates that do not exceed BPB certification (presently cannot issue CC on fire engineered buildings), Correct fee payment, Inspections recorded GEAC Pathway system, Peer Review process completed. Building Certificates includes: Correct fee payment, Assessment report completed, Peer Review process completed.
WS	Contractual Agreements & Management	265	12	12180		Major contracts review: Precontractual stage, in contract, and final process.
WS	Asset Management (replacement, security, disposal)	206	15	15225		Full review of Asset Management (replacement, security, disposal), economic use, and reflection in Council books.
BF	Cost control	87	12	12180		Full review of the controls that ensure that: - Cash and bank accounts held by Council are held and used effectively and securely. - Credit control is working effectively and debts are identified and promptly resolved. - Accounts Payable and Receivable are accurate and timely. - Council's financial accounts are prepared using accurate, complete and timely information and that appropriate accounting procedures, methods and standards are applied. - Funds due to Council are promptly and securely collected. - Council's management accounts are prepared using accurate, complete and timely information and that subsequent reports meet the needs of Council and are themselves accurate, complete and timely. - The controls operating over the corporate and departmental budgeting process to ensure that Council accurately predicts its financial requirements, sets budgets effectively and adequately manages those budgets. Cost control (Expenses and Budgets, Recoupment/GL Reconciliations/Tax Compliance/Travel) and Cash and Bank (incl. Reconciliations, credit cards, transfers, EFTPOS, Petty Cash).
BF	Payroll Processes (Time recording and leave management)	14	12	12180		Breach of statutory regulations, Fraud/misappropriation, Ghost employees, Wrong amount paid to employee, Timesheet incorrect. Salaries/Wages Payment Not Made, Payments made late, Duplicate payment, Overpayment, No payslip, Payslip inaccurate/incomplete, Tax deducted incorrect, Loss of income, Superannuation liability, Unauthorised deductions made, Sums deducted unidentifiable, Fines/fees/censure, Continuing responsibility for PAYE, Cash Lost or Stolen, Unclaimed Wages Lost or Stolen, Disgruntled Employee, Overspending, Costs charged incorrectly, Pay awards implemented incorrectly, Sick pay incorrect Benefits claimed when not entitled, Payments made incorrectly, Breach of statutory regulations, Fraud/misappropriation, Tax deducted incorrect, Benefits claimed when not entitled, E.g. sickness and maternity benefit, etc.
GM	Corruption/fraud control and prevention	254	15	0		Self Assessment
GM	Compliance with the Code of Conduct (Conflicts of interest, Registers, Training Delegations)	194	10	0		Self Assessment
WS	Project Management	134	15	0		Full review of the controls that ensure that capital projects best meet Council's needs, are planned and executed to budget and time and represent value for money.
GM	Governance (Policies/Procedures/Codes/Registers/Legislative Compliance Programs and Mgt Plan Alignment)	110	10	0		Self Assessment
GM	Training & Development	65	10	0		Self Assessment. To ensure that staff continue to develop their skills and experiences.
PE	Use of Drive 24 System (RTA)	48	6	0		Self Assessment
GM	Mayoral Services (Civic Functions/Ceremonies/PR and Communications/Councillors Services)	26	10	0		Self Assessment
GM	Economic Development and Commercial Activities	16	15	0		Self Assessment
BF	Investments/Grants/Loans External & Internal	14	12	0		Full review of the controls that ensure that Council's investments and financing achieves value for money and is secure.
GM	Occupational Health and Safety	14	12	0		Full review of the controls that ensure that OH & S processes comply and fulfill Council obligations towards legislations and staff health and safety.

EXTERNAL

INTERNAL

Internal Audit and Governance Committee (cont'd)

**ATTACHMENT 2**


Table 9 - LGIAN Ranking for NSW Councils

<b>Audit Area</b>	<b>Votes</b>
Development assessment, S94 Contributions, Applications and Planning Processes	11
Procurement/purchasing	10
Cash handling (incl credit cards, transfers, EFTPOS)	5
Asset management/asset security	4
IT Security	4
Payroll processes (including time recording and leave management)	4
BCP/DRP, resilience	3
Waste management/operations	3
Child care	2
Compliance with Legislation	2
Contractor selection, management and performance monitoring	2
Contractual agreements	2
Delegations	2
Business / strategic planning- process	1
Commercial activities entertainment centres, cafes, restaurants, etc	1
Community strategic plan	1
Conflict of interest	1
Cost control - expense management /budget mngt	1
Enforcement - inspectors, authority & corruption risks	1
Environmental health (food & building)	1
Governance - policy & admin compliance	1
HR systems - personnel training and development	1
Investments	1
IT	1
Leisure Centre Management & Operations	1
Plant Management	1
Tendering	1
Credit cards	1
Project management	1
Records Mngt	1
Recreational Facilities and Booking	1
Risk Management - Policies/Procedures/Codes/Registers	1
Traffic Management	1



Internal Audit and Governance Committee (cont'd)

**ATTACHMENT 3**

 AUBURN CITY COUNCIL <small>Many Colours One Community</small>		
<b>TRIM NUMBER:</b>	<b>REVISION:</b>	Page 1 of 4
<b>DEPARTMENT: General Manager</b>		
<b>PROJECT: GENERAL POLICY MANUAL</b>		<b>REFERENCE: MANUAL OF STANDARD PROCEDURES</b>
<b>DATE ADOPTED: (Council Meeting Date)</b>	<b>AUTHOR: Head of Internal Audit</b>	<b>AUTHORISATION: GENERAL MANAGER</b>
<b>TITLE: X9 LEGISLATIVE COMPLIANCE</b>		<b>REVIEW DATE: (DATE 2 YEARS AFTER ADOPTION OF EARLIER)</b>

**OBJECTIVE**

Compliance is what Council does to ensure that it meets the requirements of the law relating to its activities. The Council has an obligation to its stakeholders, staff and the wider community to ensure compliance with the law. If offences are committed by Council or people at Council as a result of legislation not being complied with, Council, staff and Councillors could be prosecuted, Council could be sued and there could be significant loss of reputation.

Auburn City Council, in its role as a local government authority, is committed to compliance with all statutory and common law requirements relating to operations and governance of Council.

The Council maintains the highest standards of diligence in all areas of public accountability, through its policies, in meeting its legal obligations, in the maintenance of a compliance management system and in the promotion of a compliance culture.

In particular, the Council recognises its obligations to its stakeholders, its staff and the wider community to provide an environment that is safe, a culture that promotes equity and an administration that adopts the highest standards of probity and accountability in all its operations.

**SCOPE**


This policy, and the principles set out in this policy, aim to:

1. prevent, and where necessary, identify and respond to breaches of laws, regulations, codes, or organisational standards occurring in the organisation;
2. promote a culture of compliance within the organisation; and
3. assist the Council in achieving the highest standards of governance

This policy applies to all areas of Council's operations, and covers compliance with Commonwealth and State legislation, Council codes and policies, contracts, funding agreements, and relevant standards.

Internal Audit and Governance Committee (cont'd)

**ATTACHMENT 3**

 <small>AUBURN CITY COUNCIL MAY COUNCILS ONE COMMUNITY</small>		
<b>TRIM NUMBER:</b>	<b>REVISION:</b>	Page 2 of 4
<b>DEPARTMENT: General Manager</b>		
<b>PROJECT: GENERAL POLICY MANUAL</b>		<b>REFERENCE: MANUAL OF STANDARD PROCEDURES</b>
<b>DATE ADOPTED: (Council Meeting Date)</b>	<b>AUTHOR: Head of Internal Audit</b>	<b>AUTHORISATION: GENERAL MANAGER</b>
<b>TITLE: X9 LEGISLATIVE COMPLIANCE</b>		<b>REVIEW DATE: (DATE 2 YEARS AFTER ADOPTION OF EARLIER)</b>

**GENERAL PRINCIPLES**

Council has adopted the following principles based on the Australian Standards AS 2806-2006 *Compliance Programs*:

- 1 Council is committed to achieving compliance in all areas of its operations.
- 2 Council will maintain a *Legislative Compliance Policy* that sets out its commitment to compliance with applicable laws, regulations, codes and Council standards.
- 3 Council will provide sufficient resources to ensure that its Compliance Program can be implemented, maintained and improved.
- 4 Council will ensure that all managers, supervisors and staff generally understand, promote and be responsible for compliance with relevant laws, regulations, codes and Council standards that apply to activities within their day-to-day responsibilities.
- 5 Council will maintain its commitment to continuous improvement in compliance through its Governance Framework program.
- 6 Council will use its established risk management practices to accurately identify, rate and treat compliance risks.
- 7 Council will ensure that compliance requirements are integrated into day-to-day operating procedures as appropriate.
- 8 Council will maintain an effective complaints management system, including the coverage of compliance failures.
- 9 Council will maintain a *Compliance Register* in association with its *Risk Register*.
- 10 Council will investigate, rectify and report all compliance failures.
- 11 Council will allocate appropriate responsibility for managing compliance at various levels.


**PRACTICE**

Council will:

- Review and monitor the leadership and commitment given to legislative compliance through active promotion of the organisation's Legislative Compliance Policy.
- Review compliance management objectives and plans for legislative compliance.
- Monitor compliance performance by way of periodic management reports and assurances.

Internal Audit and Governance Committee (cont'd)

**ATTACHMENT 3**

 <small>AUBURN CITY COUNCIL Many Colours One Community</small>		
<b>TRIM NUMBER:</b>	<b>REVISION:</b>	Page 3 of 4
<b>DEPARTMENT: General Manager</b>		
<b>PROJECT: GENERAL POLICY MANUAL</b>		<b>REFERENCE: MANUAL OF STANDARD PROCEDURES</b>
<b>DATE ADOPTED: (Council Meeting Date)</b>	<b>AUTHOR: Head of Internal Audit</b>	<b>AUTHORISATION: GENERAL MANAGER</b>
<b>TITLE: X9 LEGISLATIVE COMPLIANCE</b>		<b>REVIEW DATE: (DATE 2 YEARS AFTER ADOPTION OF EARLIER)</b>

The **General Manager** will


- Prepare legislative compliance objectives and plans for review and consideration by Council
- Monitor performance against legislative compliance objectives and plans and report to the Council on progress toward accomplishment of objectives
- Where appropriate, delegate responsibility for compliance to officers with responsibility for particular sections
- Oversee the performance of subordinate officers in these matters, including
  - conforming to and applying relevant requirements of the Law within the workplace
  - Ensuring that systems and procedures established to make the policy effective are operational
  - Ensuring that staff are trained in the necessary knowledge and understanding to perform their duties in compliance with the policy and all relevant requirements of the law
  - Ensuring that significant compliance responsibilities and accountabilities are included in position descriptions and performance reviews.
  - Reporting and investigating any incident or occurrence thought or known to constitute a breach of any legal requirement.
  - Designing and implementing system enhancements to correct weaknesses that could result in a breach of such a requirement
- Review and report annually to the Council on the effectiveness of the management systems established to deliver legislative compliance
- Analyse material breaches and identified compliance system weaknesses for systematic trends and ensure that any adverse trends are addressed
- Promote a culture of effective legislative compliance across the organisation
- Provide a formal assurance to the Council as to the state of compliance of the organisation

**All staff** at all levels will

- Ensure that they are aware of any legal requirements that apply to their work activities and that they comply with them
- Report all incidents of breaches of legal requirements
- Where appropriate, suggest ways in which practices, systems and procedures could be improved so as to reduce the likelihood of a breach occurring.

Internal Audit and Governance Committee (cont'd)

**ATTACHMENT 3**

 AUBURN CITY COUNCIL Many Colours One Community		
TRIM NUMBER:	REVISION:	Page 4 of 4
DEPARTMENT: General Manager		
PROJECT: GENERAL POLICY MANUAL	REFERENCE: MANUAL OF STANDARD PROCEDURES	
DATE ADOPTED: (Council Meeting Date)	AUTHOR: Head of Internal Audit	AUTHORISATION: GENERAL MANAGER
TITLE: X9 LEGISLATIVE COMPLIANCE		REVIEW DATE: (DATE 2 YEARS AFTER ADOPTION OF EARLIER)

**DEFINITIONS**

**Codes**

Mandatory industry codes and voluntary industry codes with which the Council chooses to comply.

**Compliance**

Measuring that the requirements of laws, regulations, industry codes and Council standards are met

**Compliance failure**

A breach, by Council, of applicable laws, regulations, codes and Council standards

**Compliance culture**

The promotion of a positive attitude to compliance within the Council

**Legal compliance**

Effective control of legal risks in order to ensure that the law is complied with

**Council standards**

Any codes of ethics, codes of conduct, policies, procedures and charters that Council may deem to be appropriate standards for its day-to-day operations

**RELATED DOCUMENTS**

- Good Governance Framework and Action Plan (To be developed)
- Legislative Compliance Program (To be developed)
- Australian Standards 2806-2006 "Compliance Programs"

**DEPARTMENT**

General Manager's Department

## AUBURN CITY COUNCIL

August 10, 2011  
To the Ordinary Meeting of Council

General Manager's Report

## **220/11      Retro Paid Loss (Burning Cost) Workers Compensation Report**

I-10-01/12      PT : MW

### **SUMMARY**

Council's Workers Compensation report for June 30, 2011 highlights outstanding performance as a participant in the Retro Paid (Burning Cost) Premium Calculation Workers Compensation Model from December 31, 2010.

The Willis Scorecard (attached) details Councils outstanding performance against WorkCover Key Performance Indicators in Occupational Health and Safety/Injury Management for the six (6) month period to June 30, 2011.

### **RECOMMENDATION**

***That the report be received and the information therein noted.***

### **REPORT**

Council at its Ordinary Meeting held on November 17, 2010, approved the submission to WorkCover NSW for Auburn City Council to participate in the Retro Paid Loss (Burning Cost) Premium Calculation Workers Compensation Model from December 31, 2010.

WorkCover formally notified Council on November 23, 2010 confirming that it had approved Council's submission to participate in the Retro Paid Loss (Burning Cost) Premium Calculation Workers Compensation Model from December 31, 2010.

The Willis Scorecard (attached) highlights Council's outstanding achievement as at June 30, 2011 on the completion of the 2nd quarter results specifically by the Human Resources team in managing the new burning cost model. This is an excellent result for Council who maintains internal benchmarkings in terms of performance when compared to the two (2) other large Local Government Councils – Penrith City Council and Blue Mountains City Council, who are also participants in this WorkCover Workers Compensation Model.

Council has achieved 59 days injury free and without a lost time Workers Compensation Claim for the period April 8 to June 7, 2011. All staff were acknowledged and recognised for their outstanding contribution in achieving this result.

Willis brokers detailed a cost benefit analysis in July 2010 to Council identifying the upfront potential savings to be gained by participating in this model. In summary the results of the cost benefit analysis reveals the following:

<b>CRITERIA</b>	<b>PREMIUM</b>
2010/11 Estimated Deposit Premium (Traditional Insurance) as advised by QBE	\$1,083,188
2010/11 Estimated Final Premium (Burning Cost Alternative) after run off period	\$484,238
<b>Cost Benefit (Saving) to Auburn</b>	<b>\$598,950</b>
<b>% Reduction in Premium</b>	<b>55%</b>

August 10, 2011  
To the Ordinary Meeting of Council

General Manager's Report

Retro Paid Loss (Burning Cost) Workers Compensation Report (cont'd)

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Based on Council's current performance in Occupational Health and Safety/Injury Management against the WorkCover Key Result Indicators, Council is on track in achieving significant cost savings to Council of **\$598,950.00** and a reduction in Premium of **55%** as outlined in the table above

A representative of the Metro Pool broker, Willis Group will make a presentation to Councillors prior to the Council Meeting on Council's outstanding achievement and performance in the Retro Paid Loss (Burning Cost) Workers Compensation Premium Model.

**ATTACHMENTS (to be also circulated in A3 to Councillors under separate cover)**

1. Willis NSW Workers Compensation Scorecard – Auburn

August 10, 2011  
To the Ordinary Meeting of Council

General Manager's Report

Retro Paid Loss (Burning Cost) Workers Compensation Report (cont'd)

ATTACHMENT 1

Page 1 of 1

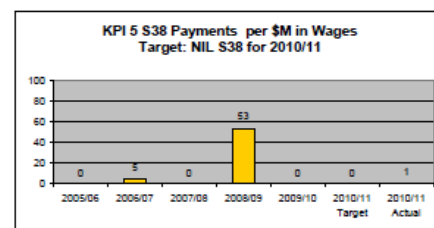
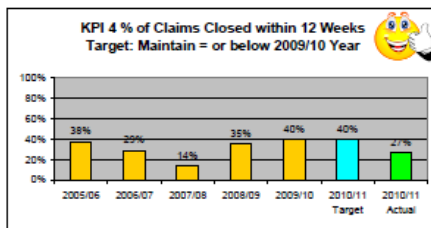
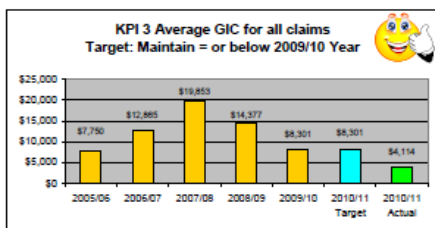
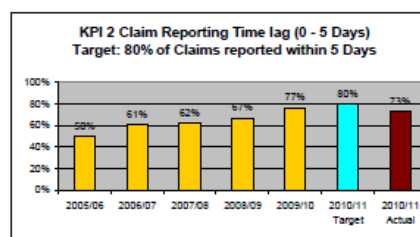
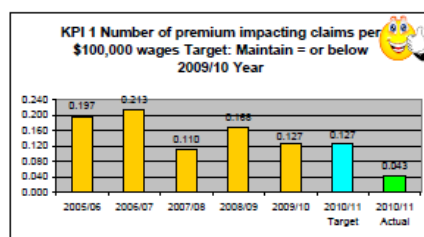
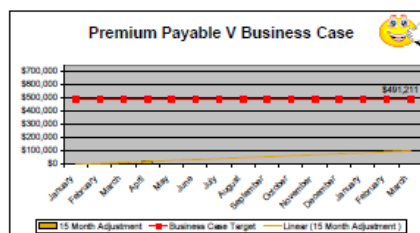
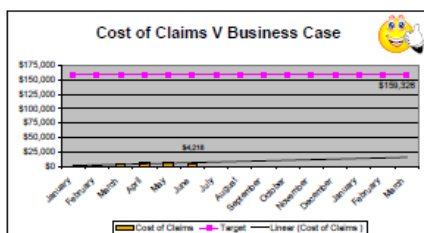
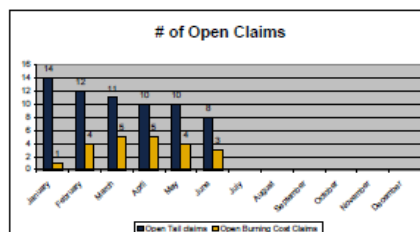
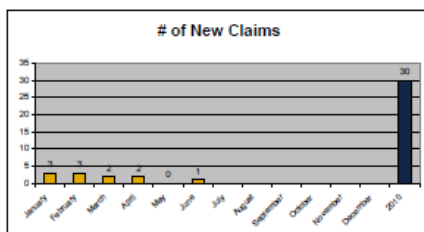


NSW WORKERS COMPENSATION SCORECARD

*"If you can't measure it ... you can't manage it"*

DATA AS AT 30 JUNE 2011

WORKERS COMPENSATION RPL KPI'S



## AUBURN CITY COUNCIL

August 10, 2011  
To the Ordinary Meeting of Council

Director's Report  
Planning and Environment  
Department

**221/11          Notification of Auburn Local Environmental Plan 2010  
(Amendment No. 1)**

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T-40-22          AK : EG

## SUMMARY

The purpose of this report is to advise Council that on Friday, 6 June 2011, Auburn Local Environmental Plan 2010 (Amendment No 1) was notified on the NSW State Government legislation website and became effective on that date.

## RECOMMENDATION

***That the report be received and the information therein noted.***

## REPORT

The Minister has made the *Auburn Local Environment Plan 2010 (Amendment No 1)* (or "ALEP 2010 (Amendment No.1)") under Section 34 of the *Environmental Planning and Assessment Act, 1979* (the Act). In accordance with section 34(5) of the Act the *ALEP 2010 (Amendment No 1)* came into effect on Friday, 6 June 2011 when it was notified on the NSW legislation website.

Previously known as Draft ALEP 2000 (Amendment No. 22), the *ALEP 2010 (Amendment No.1)* delivers the Parramatta Road Commercial Precinct. Specifically, it introduces **retail premises** to the section the Parramatta Road between Hill Road and St Hilliers Road/Silverwater Roads, Auburn, which is zoned B6 Enterprise Corridor. This precinct is now known formally as the Parramatta Road Commercial Precinct.

On 1 January 2011, because the draft LEP had not reached notification stage, the LEP process had to be begin all over again because of savings and transitions provisions which expired the draft LEP on 31 December 2010. In the interests of affected major property owners, the Department of Planning and Infrastructure ("DP&I") took carriage of the draft LEP. Becoming Draft ALEP 2010 (Amendment No.1) the draft LEP was and fast-tracked resulting in the June notification.

## MINOR CHANGES TO ALEP 2010 (AMENDMENT NO. 1)

The draft instrument was re-drafted by the DP&I to better fit with the *ALEP 2010* because the previous draft had sought to amend the repealed Auburn LEP 2000. In essence, the original version of the instrument had lost its currency. However, the intention of the instrument has not changed. **Retail premises** are now permitted with consent in the Parramatta Road Commercial Precinct. The introduction of this use to the Parramatta Road Commercial Precinct also introduces the following sub-terms, as per the State Dictionary:

- **Cellar door premises**
- **Roadside stalls**
- **Shops**



#### Notification of Auburn Local Environmental Plan 2010 (Amendment No. 1) (cont'd)

(Note: the remaining **retail premises** sub-terms are already permitted in the B6 Enterprise Corridor zone. These are: **food and drink premises** (this includes **pubs, take-away food and drink premises**) and **restaurants**).

The amendment means that all forms of retail premises are permissible with development consent. This means shopping centres, supermarkets, direct factory outlets, warehouse-style retail (eg. Costco), department stores, discount department stores, power centres, hypermarkets, etc.

### **IMPLEMENTING THE AMENDMENT**

To implement the amendment, at the time this Council report was being prepared, Council staff had:

- Updated Council's Section 149 Certificates system;
- Sent letters to all persons who made a submission in regards to the then Draft Auburn LEP 2000 (Amendment No. 22);
- Published a public notice in the *Auburn Review* on Tuesday, 14<sup>th</sup> June 2011;
- Prepared the revised pdf-based instrument;
- Received the electronic data comprising the GIS data and pdf maps (FSR and Key Sites Maps) from the DP&I and forwarded to the printers for printing;
- Updated Council's website.

The following remaining steps are being completed to finalise the delivery of *ALEP 2010 (Amendment No.1)*. These tasks will be completed by the time this Council report is presented to Council:

- Updating of Council's website links to the new pdf-based instrument;
- Updating of Council's internal mapping system (Exponaire) with the gazetted mapping information (FSR and Key Sites Map);
- Letters to key agencies; and
- Internally distribution of amended instrument and maps (to relevant staff, Council Libraries and Councillors).

### **CONCLUSION**

Development applications (DA) lodged with Council since Friday, 6 June 2011 will be assessed under the provisions of *Auburn LEP 2010 (Amendment No 1)*. DAs lodged before the making of *Auburn LEP 2010 (Amendment No 1)* will be assessed under the previous controls.

## AUBURN CITY COUNCIL

August 10, 2011  
To the Ordinary Meeting of Council

Director's Report  
Planning and Environment  
Department

**222/11      Community Engagement for the Berala and Regents Park Villages Studies**

S-57-15      AK : EG

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**SUMMARY**

This report provides a summary of the community engagement undertaken as part of the Berala and Regents Park Villages Studies. The report includes an outline of the study area and background, as well as a summary of the activities and the outcomes of each of the four community workshops held (two workshops for each village centre).

**RECOMMENDATION**

***That the report be received and the information therein noted.***

**REPORT****STUDY BACKGROUND**

Council is undertaking concurrent studies of Berala Village and Regents Park Village. The purpose of these studies is to:

- consider which building types and heights are suitable for each village centre, and test appropriateness of current zoning;
- identify opportunities to revitalise each village centre; and
- bring together information which will inform the future upgrade of the main street areas of each village centre.

The study area for each village centre includes 2 key components:

- the *residential area* within a 400-600m radius of the station and main street (which is consistent with the Department of Planning and Infrastructure's (DP&I) definition of a village centre in the Metropolitan Strategy). This area is also of particular interest as it forms the 'walkable' area of the centre, that is, those parts of the village centre which are within a 5-15 minute walk of the shops and station.
- the *main street area* which is the land zoned B2 Local Centre under *Auburn Local Environmental Plan 2010 (ALEP 2010)*, also situated within the 400m-600m radius of the railway station.

In the case of Berala, the focus of the study area is the area within the 400m radius (the 'core' area), with the area in the 400-600m belt referred to as the 'surrounds'. With the exception of the main street area and station, this area is predominantly residential.

In Regents Park, however, over one third of the land within the 400m radius (the 'core' area) is zoned industrial. Whilst this industrial area is part of the study, it is not the focus. The residential area to the east of the railway line within the 400-600m belt is referred to as the 'surrounds'. The Regents Park study areas has also been extended beyond the 600m radius to the east to address a Council resolution of 12 May 2010 (Ref 116B/10), and to include the area bound by Amy Street, the Chullora Goods Railway Line, the Sydney water pipeline and Kingsland Road as part of the study area. The remaining residential area of Regents Park suburb (bound by Kibo Road to the north and Nottingham Road to the east) has also been

August 10, 2011  
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Director's Report  
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### Community Engagement for the Berala and Regents Park Villages Studies (cont'd)

included in the study area (referred to as the 'fringe'), again, on account of Council's resolution of 12 May 2010.

### CONSULTATION SUMMARY

In early July, Council staff conducted 2 workshops for each village, as detailed below.

#### Berala

Date/Time	Venue	Number of participants	Number of participants from Berala	Other suburbs
Morning Workshop Wednesday 6 July 2011 - 10am	Berala Public School, Berala	15*	8*	<ul style="list-style-type: none"> <li>• Lidcombe: 2</li> <li>• Remainder: not specified</li> </ul>
Evening Workshop Wednesday 6 July 2011 - 6pm	Berala Public School, Berala	21*	14*	<ul style="list-style-type: none"> <li>• Auburn: 2</li> <li>• Lidcombe: 1</li> <li>• Regents Park: 1</li> <li>• Remainder: not specified</li> </ul>

\*Note: participant numbers are approximate as not all participants completed the sign-in sheets

#### Regents Park

Date/Time	Venue	Number of participants	Number of participants from Regents Park	Other suburbs
Morning Workshop Thursday 7 July 2011 - 10am	Regents Park Community Centre Regents Park	45*	34*	<ul style="list-style-type: none"> <li>• Berala: 5</li> <li>• Lidcombe: 1</li> <li>• Remainder: not specified</li> </ul>
Evening Workshop Thursday 7 July 2011 - 6pm	Regents Park Community Centre Regents Park	50*	34*	<ul style="list-style-type: none"> <li>• Berala: 8</li> <li>• Auburn: 1</li> <li>• Remainder: not specified</li> </ul>

\*Note: participant numbers are approximate as not all participants completed the sign-in sheets

The workshops were promoted to the community via local newspaper (Auburn Review), Council's website, and a letterbox drop of flyers throughout the study area of each village (400-600m radius from the Berala and Regents Park stations respectively), and posters in Regents Park and Auburn Libraries. In addition to this, Council staff approached business operators in Woodburn Road (Berala) and Amy Street (Regents Park), personally inviting them to attend the workshops and asking if they would display a poster about the workshop in their shop window. Council staff also handed out flyers to people passing by whilst they were in the main street areas.

The purpose of these workshops was to:

- explain the purpose of the studies and provide an outline of the preliminary research undertaken to date;
- explore opportunities for renewal and revitalisation, with a particular focus on building type, scale and character residents thought would be appropriate for their village in the future; and
- confirm that issues raised in previous forums (particularly the Community Strategic Plan forums held throughout 2010) were being carried through to these studies, and would be addressed where appropriate.

### Community Engagement for the Berala and Regents Park Villages Studies (cont'd)

At the workshops, Council staff provided a brief summary of preliminary work undertaken to date. This work included collecting and mapping data on existing building type and height, building age, building condition, as well as existing strata subdivision patterns, heritage items, and Department of Housing property ownership. At the workshops, Council staff noted that the predominant building type in both village centres is detached houses, and these buildings are predominantly post war houses built between 1940-1970. The condition of the housing within each village centre varies.

Before commencing the activities, Council staff provided visual examples of other 'middle-ring' centres within Sydney (Concord, North Strathfield, Homebush, and Oatley) which are similarly classified as 'village centres' by the DP&I, to provide a comparison in terms of existing scale and character for workshop participants.

The participants were then divided into small groups and worked through two activities lead by a facilitator (Council staff member) at each group. These activities and the outcomes from these activities are outlined in the following section.

At the beginning of both Regents Park workshops, Council staff provided a brief summary of the Planning Proposal for the rezoning of land at Amy Street (between Maunder and Smith Streets), Regents Park, and answered questions from the floor. Whilst the Regents Park Village study is a strategic planning study, and is not related to this specific planning proposal, it was necessary to address the concerns of residents about Council's recent decision to progress the proposal to the DP&I (in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979*), before commencing the workshop itself.

At the end of each workshop, participants had the option of completing a feedback form, to comment on the workshop itself and to make any further comments.

## **CONSULTATION ACTIVITIES AND OUTCOMES**

Workshop participants were invited to take part in two activities at the workshops. The first activity (Activity 1) focused on the residential component of the studies, and the second activity (Activity 2) focused on the main street areas of the studies (outlined below).

In addition to these two activities, Council staff directed participants at each workshop to a poster which summarised issues which had been raised by each community at previous consultations, particularly the Community Strategic Plan forums held throughout 2010, the relevant results of the Community Priorities Survey (conducted in July 2010). The purpose of these posters was to demonstrate that previous issues had been captured, and to allow workshop participants to focus on the more detailed activities specific to their village area which were the focus of the workshops.

### **ACTIVITY 1**

For this activity, each group was provided with a map of the study area, showing current zoning under *ALEP 2010*. Each participant was given an A3 sheet with colour-coded illustrated examples (see Attachment 1) of the following different building types:

- Dual occupancy – yellow
- Townhouse/villa – orange
- 2 storey units – pink

### Community Engagement for the Berala and Regents Park Villages Studies (cont'd)

- 3+ storey units – red

Participants were given a pack of stickers containing 5 stickers of each colour. They were asked to look at the different building types, and place corresponding stickers on blocks (not individual lots) within the study area where they felt that building type would be suitable. The facilitator (Council staff member) at each table explained that participants could use as many or as few stickers as they liked, but they were encouraged to place as many stickers as possible onto the maps.

An option of 'detached houses' was deliberately not provided, as this is by far the predominant building type in both village study areas. An option 'no change/status quo' was also consciously not provided to encourage people to participate in the activity and to think about the type of revitalisation they would like to see over time. Participants could choose not to place any stickers (or write "no change/status quo") on certain blocks where they did not wish to see any of the building type options provided.

Participants were also given a sheet explaining which building types were already permissible in each zone under ALEP 2010.

The purpose of this activity was firstly to raise participants' awareness of the range of building types (other than detached houses), particularly those with heights of 2-4 storeys which exist across the range of residential zones, and secondly to think about the future of their village and the type of residential character they would like to see evolve over time. This was a particularly relevant activity given the predominant 1940s-1970s age and condition of the housing stock in both village centres, and the fact that some of the housing stock may be nearing the end of its lifecycle in the short to medium term.

#### **Outcomes (Berala Workshop)**

Collation of the maps from each of the groups at the two Berala workshops illustrates that Berala workshop participants generally wanted to see a mix of housing/building types within Berala village over time. The location of the different building types, as placed on the maps via colour coded stickers, was broadly consistent with the building types permissible under the current zoning. Many of the participants placed their different building type stickers in a way which supports what is currently permissible under the existing zones. For example, the tallest building types (3+ storey units – red stickers) were generally placed in the area currently zoned R4 (north of the station bound by Woodburn Road, Tilba Street and Crawford Street); and the lower density building types, such as dual occupancies (yellow stickers), and villas/townhouses (orange stickers), were generally placed in R2 and R3 zones.

A number of participants indicated they wished to see no change to the existing building types or zoning within the study area.

A summary map, which illustrates this geographically, is included in Attachment 2. A numerical description of the number of stickers per building type placed in each location on the study area map is also provided in a table in Attachment 2.

#### **Outcomes (Regents Park Workshop)**

Similar to the outcomes for Activity 1 for Berala, the building type stickers placed by many Regent Park workshop participants also broadly reflects and supports the current zoning and existing development within the study area. Units (3+ storeys – red stickers) were generally

### Community Engagement for the Berala and Regents Park Villages Studies (cont'd)

placed within the existing R4 and R3 zoning land within the study area. Lower density building types (dual occupancies – yellow stickers and villas/townhouses – orange) were generally placed within the existing R2 zone. Most of the dual occupancy (yellow) stickers were relatively evenly distributed throughout the study area, with an average of 2-3 stickers per block. However, a cluster of 10 yellow stickers were placed on the block bound by Amy, Maunder, and Smith Streets (the location subject to the Planning Proposal), indicating a strong preference for lower building height and density in this block.

Many participants (approximately 32) at the Regents Park workshops indicated they wished to see no change to the existing building types and/or zones within the Regents Park Village study area. This is detailed in Attachment 3.

Interestingly, 4 red stickers (denoting units of 3 storeys and above) were placed in the industrial area immediately west of the railway line. Residential development (any type) is prohibited in industrial zones under *ALEP 2010*.

A summary map, which illustrates these outcomes geographically, is included at Attachment 3. A numerical description of the number of stickers per building type placed in each location on the study area map is also provided in a table in Attachment 3.

These results will be incorporated into the respective village studies. They will be analysed against the data that has already been mapped (such as existing building type, age condition etc), and from this analysis recommendations will be made. These recommendations will be included in each draft study, which will be reported to Council for endorsement for public exhibition. This will allow for further public comment, prior to the studies being reported to Council for adoption.

## **ACTIVITY 2**

For Activity 2, each group was provided with a large map of the main street area (that is, the area zoned B2 Local Centre) of either Berala or Regents Park (depending on workshop location). Each participant was given blank sticky notes and an A3 sheet of paper with an illustrated list of elements which many be considered when planning a main street upgrade (such as paving, seating, landscaping, new street lights etc) (refer to Attachment 4). Participants were asked to indicate which elements they would like to see included in their main street area, and write each element on a yellow sticky note and place it on the map. Participants were also asked to indicate the type of building heights they thought were suitable for their main street area.

Participants' comments have been grouped into 6 themes (scale of development, urban design/beautification, public facilities, transport and parking, garbage and cleaning, and businesses in demand) and are summarised below.

### **Outcomes (Berala Workshops)**

*Urban Design/beautification* – this theme received the greatest number of comments (62), with the elements of improved facades/shopfronts and improved street lighting being mentioned 14 and 13 times respectively. Other elements within this theme which were identified by participants included landscaping (10), footpaths (7) and public art (6).

### Community Engagement for the Berala and Regents Park Villages Studies (cont'd)

*Public Facilities* – this theme received the second highest number of comments (29), with public toilets (7) and a community centre (6) being the most frequently mentioned elements within this theme.

*Businesses in demand* (19) – whilst the retail mix of a main street is not something that Council can control or deliver, many participants chose to include comments indicating which businesses they would like to see within Berala's main street area. A supermarket (5) and a bank/credit union (5) were the most frequently mentioned, followed by outdoor dining (4) and cafes (3).

*Scale of development* – this theme received 17 comments, with the majority of comments (7) indicating a preference for 2-3 storey development within Berala's main street area. Slightly higher heights of 5+ storeys (3) and 3-4 storeys (2) were also indicated by some participants.

*Transport and parking* (16) – the most frequently mentioned element under this theme was more parking (9).

*Garbage and cleaning* (8) – more bins and cleaner streets were each identified 4 times.

### **Outcomes (Regent Park Workshops)**

*Urban design/beautification* – this theme received the greatest number of comments (74), with a need for landscaping (18) and improved street lighting (15) being most frequently identified, closely followed by new footpath paving (13) and improved facades/shopfronts (12).

*Transport and parking* – this theme received the second highest number of comments (22), with the issues of too much traffic (5), need for a tonnage limit on Amy St (5), and more/better parking (5) all being identified as significant. 'Too many trucks' was also identified separately (2).

*Business in demand* (15) – (as previously noted, Council cannot control or deliver a specific retail mix) a supermarket (9) and outdoor dining (3) were the most frequently mentioned businesses.

*Public facilities* (14) – public toilets (7) were the most frequently mentioned public facility in this category (which is unusual, given that Regents Park has public toilets). Participants listed a range of other facilities (each was listed once) including a community notice board, childcare centre, and bicycle parking.

*Garbage and cleaning* (12) - more public bins (7) and more frequent/better emptying of bins (5) were mentioned under this theme.

*Scale of development* (7) – although many participants did not comment on this specifically, of those who did, just over half (4) indicated they thought a height of 2-3 storeys would be suitable for the main street area.

The outcomes of this activity will be addressed (where applicable) in the respective draft village studies, which will be reported to Council and placed on public exhibition, before final adoption. These results will also directly feed into the public domain plans which will be prepared for each main street area following completion of the studies.

Community Engagement for the Berala and Regents Park Villages Studies (cont'd)

**COUNCILLOR WORKSHOP**

A Councillor workshop was held on Thursday, 21 July 2011. At this workshop Council staff provided Councillors with an overview of the four community workshops and the study to date. Council staff also outlined the activities undertaken at each community workshop, and the results of these activities. The Councillors had the opportunity to view and discuss these results, and ask questions of Council staff.

**ATTACHMENTS (to be circulated to Councillors under separate cover)**

- Attachment 1: Activity 1 Key sheets (Housing types and map key) – T053854/2011
- Attachment 2: Activity 1 Outcomes – Berala Workshops (map and table) – T053889/2011
- Attachment 3: Activity 1 Outcomes – Regents Park Workshops (map and table) – T053891/2011
- Attachment 4: Activity 2 Key sheets – T053856/2011
- Attachment 5: Activity 2 Outcomes – Berala Workshops (main street area map) – T053831/2011
- Attachment 6: Activity 2 Outcomes – Regents Park Workshops – (main street area map) T053833/2011



## AUBURN CITY COUNCIL

August 10, 2011  
To the Ordinary Meeting of Council

Director's Report  
Works & Services Department

## 223/11 Capital Works Progress Report

W-12-01/02 PD : CJ

### SUMMARY

Details are provided on the status of Capital Works in the 2010/2011 Budget as at the end of June, 2011.

### RECOMMENDATION

*That the report be received and the information therein noted.*

### REPORT

#### PARKS AND RECREATION

Item	Revised Budget 10-11	Expenditure to date	Forecast Cost	Expected Completion	Comments
Construction of Duck River Cycleway adjacent to Collex	\$516,000	-	\$516,000	Jun - 12	Stage 1 draft brief completed. To be issued for quotations by end of 2011.
Wyatt Park Carpark	\$60,000	\$60,000	\$60,000	Completed	Completed
Silverwater Park – Pontoon/Jetty	\$190,977	\$185,000	\$190,977	Completed	Construction completed other than contract retention.
Silverwater Park Upgrade	\$160,500	\$160,500	\$160,500	Completed	
Park signage	\$41,300	-	\$41,300	Dec - 11	Signage condition audit being undertaken for rollout within next six months.
Park - Capital Works Projects	\$133,500	\$106,000	\$106,000	Completed	Capital works associated with small playground upgrades and renewals completed.
Golf Course Capital works: New and improved tees constructed at 11 <sup>th</sup> and 14 <sup>th</sup> holes	\$59,700	\$21,630	\$59,700	Dec - 11	New tees completed. Design underway for chemical wash-down bay and water recycle system. Design completed for new pedestrian bridge with works to be undertaken in next 6 months in conjunction with creek stabilisation works.
Hill Road Park	\$206,400	\$14,000-	\$206,400	Aug - 11	Works continuing. Some delays associated with wet weather.

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Works & Services Department

Capital Works Progress Report (cont'd)

Item	Revised Budget 10-11	Expenditure to date	Forecast Cost	Expected Completion	Comments
Pierre de Coubertin Park new playground	\$101,000	\$113,000	\$113,000	Completed	
Playground & softfall renewals: New safety surfacing works at Guilfoyle, Bardo, Remembrance and Bangor Park.	\$140,100	\$104,700	\$104,700	Completed	
Botanic Gardens management plan implementation	\$516,000	\$119,000	\$516,000	Completed	Upgrade of Hedge Garden, Remembrance Avenue, Front Entrance of Japanese Garden, Billabong area, Conifer Garden, Peacock Gallery forecourt, Aviary lawns and Depot entrance completed. Final invoices not yet received.
Coleman Park Floodlights	\$183,700	\$131,800	\$131,800	Completed	
Chadwick Reserve Playground	\$119,500	\$138,600	\$138,600	Completed	
Upgrade of local cricket facilities New practice nets at Progress Park & Phillips Park. New synthetic pitches at: <ul style="list-style-type: none"> <li>• Coleman Park</li> <li>• Progress Park</li> <li>• Auburn Park</li> <li>• Phillips Park</li> <li>• Peter Hislop Park</li> <li>• Webbs Avenue</li> <li>• Guilfoyle Park</li> <li>• Wyatt Park</li> </ul>	\$41,300	\$24,560	\$24,560	Completed	
Progress Park Irrigation	\$123,800	-	\$123,800	Mar - 12	Design concept completed. Project has been delayed pending review of water treatment options using Duck River water
Princes Park Floodlights	\$192,500	\$158,500	\$158,500	Completed	
Mona Park playground	\$258,000	\$9,800	\$258,000	Aug - 11	Design completed, quotes obtained and works awarded.

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Director's Report  
Works & Services Department

Capital Works Progress Report (cont'd)

Item	Revised Budget 10-11	Expenditure to date	Forecast Cost	Expected Completion	Comments
					Restoration of old road roller underway. Project construction continuing after commencement in June following extensive delays arising from wet weather.
Mona Park turf wicket establishment	\$132,200	\$127,600	\$127,600	Completed	
Webbs Avenue Irrigation	-	-	-	N/A	Project deferred in accordance with Council resolution dated 16.02.11
Webbs Avenue Floodlights	\$239,000	\$174,500	\$239,000	Completed	Works completed. Final invoices not yet received.

**ENGINEERING – ROADS AND FOOTPATHS**

Item	Revised Budget 10 - 11	Expenditure To-Date	Forecast Cost	Expected Completion Date	Current Project Status
<b>RTA REPAIR 50% RTA</b>					
Holker Street Reconstruction of road pavement from Silverwater Road to Avenue of Asia including kerb and gutter replacement where required	\$500,000	\$483,754	\$483,754	Completed	
<b>FEDERAL ASSISTANCE GRANT (FAG)</b>					
Kerrs Road Reconstruction of road pavement from Woodburn Road to Nottinghill Road	\$224,000	-	\$224,000	Completed	Works completed. Final invoices not yet received.
Kerrs Road Reconstruction of road pavement from Nottinghill Road to Olympic Drive.	\$117,000	-	\$117,000	Completed	Works completed. Final invoices not yet received.
Vaughan Street Reconstruction of Road pavement from Joseph Street to Olympic Drive.	\$105,000	\$104,000	\$104,000	Completed	
<b>FEDERAL ROADS TO RECOVERY</b>					
Wrights Avenue Reconstruction of road pavement from York Street to Jenkins Street	\$279,100	-	\$279,100	Completed	Works completed. Final invoices not yet received.
<b>URBAN ROAD CONSTRUCTION</b>					

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Director's Report  
Works & Services Department

Capital Works Progress Report (cont'd)

Item	Revised Budget 10 - 11	Expenditure To-Date	Forecast Cost	Expected Completion Date	Current Project Status
John Street Reconstruction of road pavement from Ann Street to Childs Street	\$53,100	-	\$53,100	Jul / Aug - 11	Project rescheduled to commence in July / August 2011 as a result of the remaining development activities on the adjoining building site.
John Street Reconstruction of road pavement from Childs Street to Yarram Street	\$64,000	-	\$64,000	Completed	Works completed. Final invoices not yet received.
Beatrice Street Reconstruction of road pavement from Susan Street to Marion Street	\$80,000	\$31,000	\$80,000	Completed	Works completed. Final invoices not yet received.
Campbell Street Reconstruction of road pavement from Burke Avenue to London Road	\$111,000	\$109,000	\$109,000	Completed	
South Parade Reconstruction of road pavement from Park Road to Western Overbridge.	\$140,000	\$137,000	\$137,000	Completed	
Park Road Reconstruction of road pavement from Queen Street to South Parade.	\$120,000	\$125,000	\$125,000	Completed	Additional pavement restoration was required.
<b>FOOTPATH CONSTRUCTION</b>					
Amy Street Construction of new footpath / cycleway from Nottinghill Road to Joseph Street.	\$127,000	-	\$127,000	Jul - 11	Project has been delayed due to Energy Australia urgent electrical works.
Belgium Street: Construction of footpath from Wellington Road to Albert Road on the western side.	\$26,600	\$26,316	\$26,316	Completed	
Nyrang Street Construction of footpath from Gooreen Street to Hastings Street on the western side.	\$11,000	-	\$11,000	Completed	Works completed. Final invoices not yet received.
Joseph Street Reconstruction of road footpath from D'Arcy Avenue to 107 Joseph Street on the southern side	\$13,000	-	\$13,000	Completed	Works completed. Final invoices not yet received.
Cardigan Street From Chisholm Road	\$31,300	\$32,008	\$32,008	Completed	.

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Director's Report  
Works & Services Department

Capital Works Progress Report (cont'd)

Item	Revised Budget 10 - 11	Expenditure To-Date	Forecast Cost	Expected Completion Date	Current Project Status
to Bangor Street on the southern side.					
Joseph Street Construction of a pedestrian/Cycle shared concrete footpath from Main Avenue to Weeroona Road on the eastern side	\$65,000	-	\$65,000	Jul / Aug -11	Project has been delayed due to Energy Australia urgent electrical works.
<b>URBAN ROAD RESHEET</b>					
Union Road From Park Road to Harrow Road	\$68,400	-	\$68,400	Completed	Works completed. Final invoices not yet received.
<b>FOOTPATH PROGRAMMED MAINTENANCE</b>					
Footpath Programmed Maintenance	\$264,500	\$314,000	\$314,000	Completed	Additional works were required to widen footpath around school zones.
<b>Following projects funded under Special Rate Variation (SRV)</b>					
<b>ROADS</b>					
Killeen Street: Road and on road parking area resurfacing between Chisholm Road and western end	\$90,000	\$188,000	\$188,000	Completed	Additional works required include pavement widening and kerb realignment.
Hall Street Reconstruction of road pavement from Percy Street to St Hilliers Road	\$90,000	-	\$90,000	Completed	Works completed. Final invoices not yet received.
Slough Avenue Reconstruction of road pavement from Fariola Street to Rachel Close.	\$94,000	\$92,000	\$92,000	Completed	
Slough Avenue Reconstruction of road pavement from Rachel Close to Holker Street.	\$164,600	\$104,000	\$164,600	Completed	Works completed. Final invoices not yet received.
Rachel Close Reconstruction of road pavement from Slough Avenue to eastern end.	\$144,100	\$152,500	\$152,500	Completed	Additional pavement works were required.
Harrow Road Reconstruction of road pavement from Beatrice Street to Mary Street.	\$165,000	\$133,000	\$133,000	Completed	

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Director's Report  
Works & Services Department

Capital Works Progress Report (cont'd)

Item	Revised Budget 10 - 11	Expenditure To-Date	Forecast Cost	Expected Completion Date	Current Project Status
Union Road Reconstruction of road pavement from Park Road to Gordon Road	\$380,700	\$265,000	\$265,000	Completed	
Georges Avenue Reconstruction of road pavement from Hayes Street to Beatrice Street	\$95,000	\$94,000	\$94,000	Completed	
Georges Avenue Reconstruction of road pavement from Beatrice Street to Nottingham Road	\$90,000	\$91,000	\$91,000	Completed	
<b>SUB TOTAL OF SRV</b>	<b>\$1,313,400</b>				

**ENGINEERING - TRAFFIC**

Item	Revised Budget 10-11	Expenditure To-Date	Forecast Cost	Expected Completion Date	Current Project Status
<b>Implement Auburn Town Centre Ring Road</b>					
Signposting & line marking the Ring Road (Auburn Town Centre By-Pass).	\$25,000	\$8,300	\$25,000	Completed	
<b>Local Bicycle route</b> Shared Pedestrian / Cycleway on Joseph Street between Main Avenue and Weeroona Road.	\$32,000	-	\$32,000	Aug - 11	Boundary survey completed to identify road reserve.  Works deferred due to proposed cable works by Energy Australia along Joseph Street footpath. The works are expected to commence by the end of July.
<b>Traffic Facility Construction program</b>					
Improvements to the intersection of Bachell Ave/Birnie Ave.	\$49,500	\$2,000	\$49,500	Jul - 11	Design and lighting upgrade completed. No stopping signage installed. Construction delayed due to inclement weather.
Intersection treatments at the intersections of Elsham / Oxford / Water Streets and Elsham / Norval Streets	\$20,000	\$20,000	\$20,000	Completed	

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Works & Services Department

Capital Works Progress Report (cont'd)

Item	Revised Budget 10-11	Expenditure To-Date	Forecast Cost	Expected Completion Date	Current Project Status
Extension of median island on Simpson and Hunter Streets to enhance safety around Auburn Girls School.	\$5,000	\$5,000	\$5,000	Completed	
<b>Pedestrian Access and Mobility Plan (PAMP)</b>	\$30,000	\$30,000	\$30,000	Completed	
<b>South Parade Signalised Crossing</b> Construction of Signalised Crossing	\$200,000	\$167,200	\$167,200	Completed	
<b>Bennelong Parkway &amp; Hill Road - Traffic Management Scheme</b>					
Bennelong Parkway & Hill Road Street Lighting	\$606,105	\$539,400	\$650,000	Aug - 11	Works commenced in March 2010 and project. Difficulties were experienced with existing utility locations in the footpath reserve resulting in delays to the project.  All light poles have been erected on Hill Road and will be energised in early July.
Bennelong Parkway & Hill Road Traffic Scheme (Line marking, Kerb Blister Islands and Pedestrian Refuges)	\$60,000	\$60,000	\$60,000	Completed	
<b>Federal Blackspot (100% Federal grant)</b>					
Proposed roundabout – East Street/James Street, Lidcombe.	\$60,000	\$60,000	\$60,000	Completed	
Proposed traffic calming on approaches at the roundabout of Auburn Road and Helena Street, Auburn.	\$30,000	\$30,000	\$30,000	Completed	

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Director's Report  
Works & Services Department

Capital Works Progress Report (cont'd)

Item	Revised Budget 10-11	Expenditure To-Date	Forecast Cost	Expected Completion Date	Current Project Status
Upgrade Station Road Bridge (with RailCorp)	\$3,300,000	\$2,942,000	\$3,300,000	Aug - 11	Bridge upgrade completed.  Street lighting design completed for the bridge and approaches. Street lighting to be completed by RailCorp / Novorail in Aug 11.
Rawson Street Pedestrian Fencing-Stage2 (100% RTA grant)	\$90,000	\$72,500	\$72,500	Completed	

**ENGINEERING – FLOOD AND STORMWATER MANAGEMENT**

Item	Revised Budget 10-11	Expenditure To-Date	Forecast Cost	Expected Completion Date	Current Project Status
Mona Park GPT/Auburn Golf Course GPT	\$225,000	\$194,500	\$194,500	Completed	
Stormwater pit & inlet drainage capacity upgrade	\$52,700	\$60,350	\$ 60,350	Completed	
Woodburn Road Drainage Improvement to the network adjacent to the roundabout at Woodburn Road & Tilba Street (on hold)	\$80,000	-			Project is on Hold and funds spent on higher priority projects, i.e. Hill Road drainage project and additional work required on Hunter Street – Auburn Park network.
Headwall Construction Over Stormwater Outlet adjacent to Botanic Garden along Duck River (on hold)	\$100,000	-			Project is on Hold and moved to next Financial Year. Funds spent on higher priority projects, i.e. Bennelong Parkway drainage project
DDS stormwater pipe upgrade - Hunter Street – Auburn Park network	\$44,000	\$64,000	\$75, 000	Completed	Works completed. Final invoices not yet received.
Drainage Construction – Bennelong Parkway (new project)	-	\$64,130	\$75,000	Completed	Works completed. Final invoices not yet received.
Drainage Construction – Hill Road (new project)	-	\$16,500	\$18,000	Completed	Works completed. Final invoices not yet received.



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Director's Report  
Works & Services Department

Capital Works Progress Report (cont'd)

**PROPERTIES**

Item	Revised Budget 10-11	Expenditure To-Date	Forecast Cost	Expected Completion Date	Current Project Status
<b>Civic Precinct</b>					
Defect rectification works - high priority defects	\$117,000	\$44,423	\$117,000	Jun - 12	Various defect related works completed. Balance of works being reprogrammed.
Security Upgrade Civic Precinct	\$27,500	-	\$27,500	Oct-11	Camera locations and system requirements completed. Tender documents being finalised.
New Audio system for Council Chamber	\$125,000	\$169,560	\$169,560	Completed	Project completed in September 2010
<b>Operational Buildings &amp; Carparks (Ex Susan St)</b>					
SES Facility - Upgrade of the existing facility	\$150,000	\$98,145	\$150,000	Completed	Storage shed and upgrade of the existing facility completed.
			Funded by the SES	Dec - 11	SES has advised that the installation of the demountable building should be complete by Sept 2011. Connection of services to follow.
Works Depot Site - Masterplan	\$50,000	-	\$50,000	Sep - 11	Brief being developed for the Masterplan in conjunction with Botanic Gardens
Lidcombe Multi-Storey Carpark - CCTV & Boom gates & automated parking management	\$150,000	\$10,820	\$150,000	Oct - 11	Camera locations and system requirements completed. Tender documents being finalised.
<b>Other Projects.</b>					
Former Lidcombe RSL Club - Conversion to Community Facility	\$921,000	\$40,917	\$5,800,000 (building component)	2011	Tenders for the Design Consultancy for the conversion of the former Lidcombe RSL Club to a new Library and Community Centre have been assessed and a report prepared for Council's consideration at its 13 July 2011 meeting.
Progress Park - New Clubhouse	\$1,032,000	\$708,191	\$1,032,000	Jul - 11	Building 95% complete. Internal fittings, sofffall, defects and landscaping outstanding.
<b>Commonwealth Funded Projects</b>					

August 10, 2011  
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Director's Report  
Works & Services Department

Capital Works Progress Report (cont'd)

Item	Revised Budget 10-11	Expenditure To-Date	Forecast Cost	Expected Completion Date	Current Project Status
AUBURN CENTRE FOR COMMUNITY - Conversion of the North Auburn Bowling Club	\$2,731,000	\$2,685,946	\$2,731,000	Completed	Construction completed other than contract retention.
Expansion of the Senior Citizens Recreational Room	\$65,000	\$68,500	\$68,500	Completed	Construction works completed in September 2010.
Extension of the Peacock Gallery	\$55,000	-	\$55,000	Dec - 11 (Grant condition)	Development Application lodged pending consent

It should be noted that;

- 'Expenditure To Date' column does not include outstanding commitments.
- Expenditure as at June 30, 2011 is preliminary and subject to completion and audit of year end accounts.

**AUBURN CITY COUNCIL**

August 10, 2011  
To the Ordinary Meeting of Council

Director's Report  
Business & Finance  
Department

**224/11 Regents Park Community Centre - Use by Red Cross**

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C-21-02/08 BC : PV

**SUMMARY**

Information is provided in relation to the use of the Regents Park Community Centre by the Red Cross.

**RECOMMENDATION**

*That the report be received and the information therein noted.*

**REPORT**

Reference is made to the undertaking given at the Council's Meeting of 13<sup>th</sup> July, 2011 (Refer Minute No.177A/11) that a report be provided on the use by the Red Cross of the Regents Park Community Centre for its Annual General Meeting.

The issue arose when the Australian Red Cross Regents Park Branch (Red Cross) was advised that a booking that it had sought for Monday 11<sup>th</sup> July, 2011 was not available due to a prior allocation for a use by Council. That issue was subsequently resolved however by amending the Council's use and granting the booking to Red Cross. Red Cross subsequently used the facility on that day for its Annual General Meeting.

An investigation of the circumstances related to the matter shows that:-

- In accordance with the longstanding annual practice, advertisements were placed in May inviting local organisations to make application for their use of Council's Halls and facilities for the 2011/2012 year.  
  
A 'cut-off' date of 3<sup>rd</sup> June was notified in the advertisements.
- An application from Red Cross was received on 20<sup>th</sup> May for a series of dates in 2011/12, including 11<sup>th</sup> July, 2011 from 10.30am to 2.30pm.
- Prior to the call for applications, the Regents Park Community Centre had been booked for use by Council's School Holiday/Life Long Programs on various dates, including Monday 11<sup>th</sup> July, 2011.
- After the 'cut-off' deadline, action was commenced to process the applications so as to allocate the various halls, etc., to the organisations on the dates they requested, or where clashes occurred, to negotiate a compromise acceptable to the parties, all prior to written confirmation being given to the applicants.
- Before any advice was given of the outcome of its application, the Red Cross however, issued invitations etc., for its Annual General Meeting on the 11<sup>th</sup> July, 2011.

Regents Park Community Centre - Use by Red Cross (cont'd)

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- The use by the Council for the Community Service Program was initially considered to take priority. That was because a condition of the hire of Council's Halls, etc., is that where a facility is 'required for an Election, Local Emergency Operation, any other Council activity', the Council reserves the right to cancel the booking.
- When the conflict of interest was identified on 20<sup>th</sup> June, Red Cross were immediately contacted with a view to arranging an alternate time later in the day. That was initially accepted by Red Cross.
- However, on 21<sup>st</sup> June, Red Cross reversed its acceptance and sought the original allocation of 10.30am to 2.30pm. Further telephone calls ensued seeking some compromise.
- On 22<sup>nd</sup> June, urgent action was taken to rearrange the Council's Community Programs and as a priority to make the Community Centre available to the Red Cross on 11<sup>th</sup> July for the times which it sought, i.e. 10.30am to 2.30pm. That was confirmed to Red Cross immediately so that it could continue to finalise arrangements for its planned AGM on that day.
- Further action was then pursued to transfer the bookings for the balance of the 2011/2012 year for Council's Community Programs to other locations/times and thus facilitate the use by Red Cross of the Regents Park Community Centre for all of its requested dates during the 2011/2012 year.
- When that rearrangement, involving further negotiation/sorting with other potential uses of Council's facilities was concluded, Red Cross was advised of the consequent availability of the remaining dates/times which it had sought.
- Those bookings, over the whole of the 2011/2012 were then confirmed to Red Cross by letter of 23<sup>rd</sup> June, 2011.

A review of the sequence and action as above has shown that the initial difficulty which was readily resolved after it was identified, was due to –

- The time needed to process the many annual applications for the use of the variety of halls and facilities over numerous data/times and to allocate the bookings on an equitable and functional basis having regard to –
  - the needs of the applicant organisations
  - community priorities
  - expectations of regular issues
  - social and political implications
- the procedure in the past whereby a booking could be made for a hall or facility for Community Service Programs by more than one Unit in the Council's organisation and the interpretation in the subject conditions of hire that 'Council's' activities were to take priority over bookings by external users.

Regents Park Community Centre - Use by Red Cross (cont'd)

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- The presumption that an application for a booking had been approved before the Council had notified of the outcome – and the issuing of invitations to an event based on that presumption.

The provision in the conditions of hire enabling the Council to override a prior booking in extreme cases has been in place for many years and has rarely, if ever created a problem. When such an occasion has arisen (and rarely), an alternative arrangement has been able to be negotiated, or the need has been so profound and thereby clearly justifying the action, that all parties have accepted the decision.

The retention of the provision is considered critical as, in a range of possible extreme cases, e.g., a Federal Election or civil emergency, it is very much in the public interest for the Council facility to be made available for the wider public use.

A decision to exercise that provision however must take careful account of –

- The possible alternate facilities that could be made available
- The impact on the user who may already hold the booking
- The possible implications if a prospective hirer sought to mount a legal challenge to such a decision by the Council
- The community perception of the relative importance of the contrasting public needs, and the possible effect on the Council's reputation.

To ensure that any such decision to revoke a booking takes account of all of the key factors, procedures have been developed to refer such matters to a higher level of authority, dependent on the facility/intended use, etc.

The procedures also now require that all bookings are to be referred through only one Unit or Department, thus ensuring early consideration of any conflicting applications.

Additionally, future invitations for applications for bookings will include notice to prospective hirers that bookings cannot be assumed to be approved until Council advises of such in writing. That should prevent any re-occurrence of a conflict with bookings such as occurred above.

## AUBURN CITY COUNCIL

August 10, 2011  
To the Ordinary Meeting of Council

Director's Report  
Business & Finance  
Department

**225/11 Constitutional Arrangements for Councils - Amendments to the  
Local Government Act 1993**

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L-22-09 BC : PV

### SUMMARY

Information is provided in relation to recent amendments to the Local Government Act regarding the number of councillors, the filling of casual vacancies and the abolition of wards.

### RECOMMENDATION

***That the report be received and the information therein noted.***

### REPORT

The Division of Local Government, by Circular No.11-12 of 29<sup>th</sup> June, 2011 gave general details of the amendments of the Local Government Act 1993 (the Act), effective from 27<sup>th</sup> June 2011 which:-

- a) enables councils, in certain circumstances, to make an application to the Minister for Local Government for approval to reduce the number of their councillors without the need for approval at a constitutional referendum.

Applications must be made no later than 5 months after the commencement of the Amending Act, that is, no later than 28 November 2011.

This is subject to the reduction not resulting in a council having less than 5 councillors.

- b) enables councils, in certain circumstances, to make an application to the Minister for approval to abolish all wards in their areas without the need for approval at a constitutional referendum.

Section 210B of the Act allows councils a one-off opportunity to resolve to apply to the Minister to approve the abolition of all wards of their council areas.

Applications must be made no later than 5 months after the commencement of the Amending Act, that is, no later than 28 November 2011.

- c) provides that a by-election need not be held to fill a casual vacancy in the office of a councillor (but not a mayor elected by the electors) if a constitutional referendum has approved a reduction in the number of councillors for the council area but the reduction has not yet taken effect.
- d) enables councils to apply to the Minister for an order dispensing with the requirement to hold a by-election where a casual vacancy in the office of a councillor (including a mayor elected by the electors of an area) occurs within 18 months before an ordinary election, and
- e) contains provisions of a consequential, savings and transitional nature.

## AUBURN CITY COUNCIL

August 10, 2011  
To the Ordinary Meeting of Council

Director's Report  
Business & Finance  
Department

## 226/11 Investment Balances as at 30 June, 2011

A-05-01/05 HWH : MW

### SUMMARY

In accordance with Clause 212 of the Local Government (General) Regulation 2005 and under Section 625 of the Local Government Act 1993, details of all cash and financial assets invested as at 30 June, 2011 are provided.

### RECOMMENDATION

*That the report be received and the information therein noted.*

### REPORT

Detailed below is the list of Council investments held as at 30 June, 2011 including the face value and estimated market value of the investments based on the latest information available at the time of preparation of the report.

Investment Assets	Rating	Investment Date	Maturity Date	Interest Rate	Investment Principal	Market Value
				%	\$	\$
<b>Operating Funds</b>						
CBA-Cash at Bank	A-1+			3.45%	266,485	
CBA-Online Saver	A-1+			5.25%	4,400,000	
					4,666,485	4,666,485
<b>Cash Funds</b>						
T Corp Hour Glass C/F	AAA			5.41%	464,615	
					464,615	464,615
<b>Term Deposits</b>						
Bank of Queensland	A-2	7/01/2011	6/07/2011	6.45%	1,000,000	
Bank of Cyprus Australia	A-2	18/10/2010	18/07/2011	6.25%	500,000	
Suncorp Metway Limited	A-1	17/01/2011	25/07/2011	6.35%	1,000,000	
Members Equity Bank	A-2	28/03/2011	29/07/2011	6.20%	1,000,000	
Bank of Queensland	A-2	2/02/2011	8/08/2011	6.45%	500,000	
Bank of Cyprus Australia	A-2	21/02/2011	15/08/2011	6.42%	1,000,000	
Defence Force C/Union	NR	22/11/2010	22/08/2011	6.50%	500,000	
AMP Bank Limited	A	30/08/2010	29/08/2011	6.31%	500,000	
Heritage Building Society	A-2	3/09/2010	5/09/2011	6.25%	500,000	
AMP Bank Limited	A	3/09/2010	5/09/2011	6.31%	1,000,000	
Heritage Building Society	A-2	6/09/2010	12/09/2011	6.25%	500,000	
AMP Bank Limited	A	6/09/2010	19/09/2011	6.31%	500,000	
Credit Union Australia	A-2	13/09/2010	19/09/2011	6.33%	500,000	
AMP Bank Limited	A	6/09/2010	26/09/2011	6.31%	500,000	
National Australia Bank	A-1+	13/09/2010	26/09/2011	6.23%	500,000	
Investec Australia Ltd	A-2	13/09/2010	29/09/2011	6.34%	500,000	
Bank of Queensland	A-2	27/09/2010	29/09/2011	6.50%	500,000	
Bank of Cyprus Australia	A-2	8/03/2010	30/09/2011	7.00%	500,000	
Bank of Queensland	A-2	7/03/2011	10/10/2011	6.31%	500,000	
Rabobank Australia	A-1+	31/03/2011	17/10/2011	6.40%	1,000,000	
Bank of Cyprus Australia	A-2	18/04/2011	24/10/2011	6.35%	500,000	
Suncorp Metway Limited	A-1	14/02/2011	31/10/2011	6.35%	1,000,000	

August 10, 2011  
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Investment Balances as at 30 June, 2011 (cont'd)

Investment Assets	Rating	Investment Date	Maturity Date	Interest Rate	Investment Principal	Market Value
				%	\$	\$
Suncorp Metway Limited	A-1	2/05/2011	31/10/2011	6.15%	500,000	
Bank of Queensland	A-2	28/02/2011	7/11/2011	6.35%	500,000	
ING Australia	A-1	9/05/2011	7/11/2011	6.37%	500,000	
Bank of Cyprus Australia	A-2	15/11/2010	14/11/2011	6.60%	500,000	
Suncorp Metway Limited	A-1	21/02/2011	21/11/2011	6.33%	500,000	
Beirut Hellenic Bank Ltd	NR	6/06/2011	6/12/2011	6.40%	1,000,000	
Rabobank Australia	A-1+	7/03/2011	12/12/2011	6.40%	1,000,000	
Bank of Cyprus Australia	A-2	23/05/2011	19/12/2011	6.35%	1,000,000	
Credit Union Australia	A-2	7/06/2011	3/01/2012	6.29%	500,000	
Bank of Cyprus Australia	A-2	7/01/2011	9/01/2012	6.60%	500,000	
Police & Nurses C/Society	NR	14/01/2011	16/01/2012	6.50%	1,000,000	
Bank of Cyprus Australia	A-2	31/01/2011	31/01/2012	6.60%	1,000,000	
Bank of Cyprus Australia	A-2	31/01/2011	6/02/2012	6.60%	500,000	
Members Equity Bank	A-2	16/02/2011	13/02/2012	6.50%	500,000	
Members Equity Bank	A-2	21/02/2011	20/02/2012	6.50%	1,000,000	
ING Australia	A-1	28/02/2011	29/02/2012	6.43%	1,000,000	
ING Australia	A-1	7/03/2011	05/03/2012	6.41%	1,000,000	
Rabobank Australia	A-1+	7/03/2011	12/03/2012	6.60%	1,000,000	
Defence Force C/Union	NR	13/04/2011	16/04/2012	6.70%	500,000	
Defence Force C/Union	NR	2/05/2011	30/04/2012	6.70%	500,000	
Investec Australia Ltd	A-2	23/05/2011	21/05/2012	6.65%	500,000	
Defence Force C/Union	NR	7/06/2011	28/05/2012	6.70%	500,000	
Beirut Hellenic Bank Ltd	NR	6/06/2011	6/06/2012	6.70%	1,000,000	
Suncorp Metway Limited	A-1	2/07/2010	2/07/2013	7.35%	500,000	
AMP Bank Limited	A	2/07/2010	2/07/2013	7.00%	500,000	
Wide Bay Australia Limited	A-3	30/08/2010	30/08/2013	7.20%	1,000,000	
					33,000,000	33,000,000
<b>Fixed Rate Senior Bond</b>						
Westpac Bank	AA	17/06/2009	9/07/2012	5.50%	1,000,000	1,022,250
					1,000,000	1,016,250
<b>Floating Rate Notes</b>						
Holiday Coast Credit Union	NR	2/06/2005	17/04/2013	8.62%	500,000	454,740
Suncorp Metway Limited	A-1	26/11/2010	18/06/2013	5.96%	1,000,000	1,013,690
Bank of Queensland	A-2	11/11/2010	5/11/2013	6.30%	1,000,000	998,860
Commonwealth Bank	A-1+	14/07/2009	14/07/2014	6.38%	1,000,000	1,027,220
National Australia Bank	A-1+	5/11/2010	5/11/2015	6.10%	500,000	504,510
Westpac Bank	A-1+	7/02/2011	9/11/2015	6.00%	500,000	502,310
					4,500,000	4,501,330
<b>Structured Securities</b>						
Magnolia Fin-"Flinders AA"	NR	10/02/2005	20/03/2012	6.34%	1,500,000	1,361,639
Corsair - "Torquay AA"	D	6/07/2006	20/06/2013	6.49%	774,411	3,766
ANZ - Averon AAA	AA+	10/05/2006	20/06/2013	0.00%	500,000	451,500
Nexus Deutsche - "Topaz"	A+	23/06/2005	22/06/2015	0.00%	1,500,000	1,027,800
					4,274,411	2,853,750
<b>Total face value</b>					47,907,467	46,501,341
Less: Fair value adjust					(2,043,411)	
Less: Cash book adjust					(49,310)	-
<b>Total cash &amp; investments</b>					<b>45,814,746</b>	<b>46,501,341</b>



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#### Investment Balances as at 30 June, 2011 (cont'd)

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The Responsible Accounting Officer's certification below, as required under Clause 212 of the Local Government (General) Regulation 2005, is made subject to the following qualification.

All securities within Council's investment portfolio complied with Section 625 of the Local Government Act 1993 and the prevailing Investment Policy at the time of recommendation and purchase of the investments. As a consequence of the global credit market crisis there has been a number of credit rating downgrades among structured securities within the portfolio. This has resulted in the credit rating on some securities dropping below the current investment policy limits. The securities impacted are:

- Magnolia Finance – "Flinders AA" – rated AA at time of purchase, currently non-rated. At its Ordinary Meeting on June 9, 2009, Council resolved to seek bids of 87 cents in the dollar or greater for this security. Subsequently, based on Council's investments advisors recommendation, Council resolved to rescind that resolution given that the subordination status for the security combined with the relatively short maturity date of March 2012.
- Corsair – "Toquay AA" – rated AA at time of purchase, currently rated D. As has been reported for some time the risk of full capital loss is extremely high and opportunities to divest of this security are limited if not non-existent.

#### **Certification – Responsible Accounting Officer**

I hereby certify that, subject to the above qualification, the investments listed above have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulation 2005 and Council's Investments Policy.

A report on Councils investment portfolio performance for the month of June 2011 will be presented at the next Ordinary Meeting of the Council following the receipt of the investment report and commentary from Council's investment advisor Oakvale Capital Limited.

## AUBURN CITY COUNCIL

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**227/11 Investment Report for June 2011**

A-05-01/05 HWH : MW

**SUMMARY**

Reporting on investment performance and investments held as at 30 June, 2011.

**RECOMMENDATION**

*That the report be received and the information therein noted.*

**REPORT**

Included in this report are the following items that highlight Council's investment portfolio performance for the month to 30 June 2011 and an update of the investment environment:

- Council investments as at 30 June 2011
- Application of investment funds
- Investment portfolio performance
- Investment commentary.

**1) Council Investments as at 30 June 2011**

Summary of investments	30/06/2011	31/05/2011	Movement
	\$	\$	+ / (-)
Cash and Call Deposit	4,666,485	1,475,023	3,191,462
T Corp Hour Glass Cash Facility	466,640	464,615	2,025
Term Deposits	34,000,000	36,500,000	(2,500,000)
Fixed rate Bonds (senior debts)	1,000,000	1,000,000	-
Floating Rate Notes (FRNs)	4,500,000	4,500,000	-
Structured Securities (CDOs etc)	4,274,411	4,274,411	-
Face value (per statements)	48,907,536	48,214,049	693,487
Adjustments:			
Fair value adjustments at 30.6.2011	(1,443,411)	(2,043,411)	600,000
Cash book timing difference*	(49,310)	(28,518)	(20,792)
<b>Total</b>	<b>47,414,815</b>	<b>46,142,120</b>	<b>1,272,695</b>

\* e.g. un-presented cheques and unrecorded receipts for rates & revenue due at period end.

Total cash and investment assets during the month increased by \$1.27 million net, mainly attributable to the following transactions:

- \$3.7 million receipts of Council rates, fees and charges, grants and contributions,
- \$0.2 million GST refund for May BAS return and \$0.3 million investment revenue,
- \$1.7 million payments for the employee costs (payroll, group tax and superannuation),
- \$2.7 million for expenses in relation to administration, operating maintenance and capital projects of the month,
- Recognition of the \$0.6 million increase in the fair value of structured securities since 30 June 2010.

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Investment Report for June 2011 (cont'd)

Detail of cash and investment assets as per bank statements as at 30 June 2011:

Investment Assets	Rating	Investment Date	Maturity Date	Interest Rate	Investment Principal	Market Value
				%	\$	\$
<b>Operating Funds</b>						
CBA - Cash at Bank	A-1+			3.45%	266,485	
CBA - Online Saver	A-1+			5.25%	4,400,000	
					4,666,485	4,666,485
<b>Cash Funds</b>						
T Corp Hour Glass Cash Facility	AAA			5.41%	466,640	
					466,640	466,640
<b>Term Deposits</b>						
Bank of Queensland	A-2	7/01/2011	6/07/2011	6.45%	1,000,000	
Bank of Cyprus Australia	A-2	18/10/2010	18/07/2011	6.25%	500,000	
Suncorp Metway Limited	A-1	17/01/2011	25/07/2011	6.35%	1,000,000	
Members Equity Bank	A-2	28/03/2011	29/07/2011	6.20%	1,000,000	
Bank of Queensland	A-2	2/02/2011	8/08/2011	6.45%	500,000	
Bank of Cyprus Australia	A-2	21/02/2011	15/08/2011	6.42%	1,000,000	
Defence Force Credit Union	NR	22/11/2010	22/08/2011	6.50%	500,000	
AMP Bank Limited	A	30/08/2010	29/08/2011	6.31%	500,000	
Heritage Building Society	A-2	3/09/2010	5/09/2011	6.25%	500,000	
AMP Bank Limited	A	3/09/2010	5/09/2011	6.31%	1,000,000	
Heritage Building Society	A-2	6/09/2010	12/09/2011	6.25%	500,000	
AMP Bank Limited	A	6/09/2010	19/09/2011	6.31%	500,000	
Credit Union Australia	A-2	13/09/2010	19/09/2011	6.33%	500,000	
AMP Bank Limited	A	6/09/2010	26/09/2011	6.31%	500,000	
National Australia Bank	A-1+	13/09/2010	26/09/2011	6.23%	500,000	
Investec Australia Ltd	A-2	13/09/2010	29/09/2011	6.34%	500,000	
Bank of Queensland	A-2	27/09/2010	29/09/2011	6.50%	500,000	
Bank of Cyprus Australia	A-2	8/03/2010	30/09/2011	7.00%	500,000	
Bank of Queensland	A-2	7/03/2011	10/10/2011	6.31%	500,000	
Rabobank Australia	A-1+	31/03/2011	17/10/2011	6.40%	1,000,000	
Bank of Cyprus Australia	A-2	18/04/2011	24/10/2011	6.35%	500,000	
Suncorp Metway Limited	A-1	14/02/2011	31/10/2011	6.35%	1,000,000	
Suncorp Metway Limited	A-1	2/05/2011	31/10/2011	6.15%	500,000	
Bank of Queensland	A-2	28/02/2011	7/11/2011	6.35%	500,000	
ING Australia	A-1	9/05/2011	7/11/2011	6.37%	500,000	
Bank of Cyprus Australia	A-2	15/11/2010	14/11/2011	6.60%	500,000	
Suncorp Metway Limited	A-1	21/02/2011	21/11/2011	6.33%	500,000	
Beirut Hellenic Bank Ltd	NR	6/06/2011	6/12/2011	6.40%	1,000,000	
Rabobank Australia	A-1+	7/03/2011	12/12/2011	6.40%	1,000,000	
Bank of Cyprus Australia	A-2	23/05/2011	19/12/2011	6.35%	1,000,000	
Credit Union Australia	A-2	7/06/2011	3/01/2012	6.29%	500,000	
Bank of Cyprus Australia	A-2	7/01/2011	9/01/2012	6.60%	500,000	
Police & Nurses Credit Society	NR	14/01/2011	16/01/2012	6.50%	1,000,000	
Bank of Cyprus Australia	A-2	31/01/2011	31/01/2012	6.60%	1,000,000	
Bank of Cyprus Australia	A-2	31/01/2011	6/02/2012	6.60%	500,000	
Members Equity Bank	A-2	16/02/2011	13/02/2012	6.50%	500,000	
Members Equity Bank	A-2	21/02/2011	20/02/2012	6.50%	1,000,000	
ING Australia	A-1	28/02/2011	29/02/2012	6.43%	1,000,000	

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Investment Report for June 2011 (cont'd)

Investment Assets	Rating	Investment Date	Maturity Date	Interest Rate	Investment Principal	Market Value
ING Australia	A-1	7/03/2011	05/03/2012	6.41%	1,000,000	
Rabobank Australia	A-1+	7/03/2011	12/03/2012	6.60%	1,000,000	
Defence Force Credit Union	NR	13/04/2011	16/04/2012	6.70%	500,000	
Defence Force Credit Union	NR	2/05/2011	30/04/2012	6.70%	500,000	
Investec Australia Ltd	A-2	23/05/2011	21/05/2012	6.65%	1,000,000	
Defence Force Credit Union	NR	7/06/2011	28/05/2012	6.70%	500,000	
Beirut Hellenic Bank Ltd	NR	6/06/2011	6/06/2012	6.70%	1,000,000	
Investec Australia Ltd	A-2	30/05/2011	29/06/2012	6.65%	500,000	
Suncorp Metway Limited	A-1	2/07/2010	2/07/2013	7.35%	500,000	
AMP Bank Limited	A	2/07/2010	2/07/2013	7.00%	500,000	
Wide Bay Australia Limited	A-3	30/08/2010	30/08/2013	7.20%	1,000,000	
					34,000,000	34,000,000
<b>Fixed Rate Senior Bond</b>						
Westpac Banking Corporation	AA	17/06/2009	9/07/2012	5.50%	1,000,000	1,027,690
					1,000,000	1,027,690
<b>Floating Rate Notes (FRNs)</b>						
Holiday Coast Credit Union	NR	2/06/2005	17/04/2013	8.62%	500,000	460,225
Suncorp Metway Limited	A-1	26/11/2010	18/06/2013	5.96%	1,000,000	1,003,330
Bank of Queensland	A-2	11/11/2010	5/11/2013	6.30%	1,000,000	1,004,670
Commonwealth Bank of Australia	A-1+	14/07/2009	14/07/2014	6.38%	1,000,000	1,032,680
National Australia Bank	A-1+	5/11/2010	5/11/2015	6.10%	500,000	507,205
Westpac Banking Corporation	A-1+	7/02/2011	9/11/2015	6.00%	500,000	505,000
					4,500,000	4,513,110
<b>Structured Securities (CDOs)</b>						
Magnolia Fin - "Flinders AA"	NR	10/02/2005	20/03/2012	6.34%	1,500,000	1,306,772
Corsair - "Torquay AA"	D	6/07/2006	20/06/2013	6.49%	774,411	1,156
ANZ - Averon AAA	AA+	10/05/2006	20/06/2013	0.00%	500,000	452,450
Nexus Deutsche - "Topaz"	A+	23/06/2005	22/06/2015	0.00%	1,500,000	1,049,850
					4,274,411	2,810,227
<b>Total face value</b>					48,907,536	47,484,152
Less: Fair value adjustment					(1,443,411)	
Less: Cash book adjustment					(49,310)	
<b>Total cash and investments</b>					<b>47,414,815</b>	<b>47,484,152</b>

## 2) Application of Investment Funds

Estimated Restricted Cash and Investments *	30/06/2011	31/05/2011	Movement
	\$	\$	+ / (-)
Section 94 developer contributions	17,081,000	17,042,000	39,000
Other restrictions	28,872,000	26,872,000	2,000,000
Unrestricted cash assets	1,461,815	2,228,120	(766,305)
	<b>47,414,815</b>	<b>46,142,120</b>	<b>1,272,695</b>

\*Estimated restricted cash and investments, including both externally and internally restrictions, are based on 30 June 2010 actual restrictions plus estimated movements since that date, subject to the final audited result for the year ended 30 June 2011.

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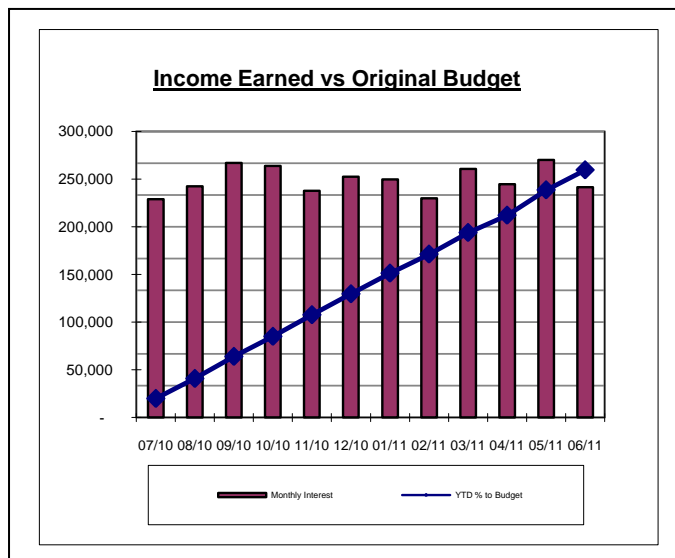
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### Investment Report for June 2011 (cont'd)

#### **3) Investment Portfolio Performance vs Benchmark**

The table below details monthly investment income compared to the original budget and the previous year actual.

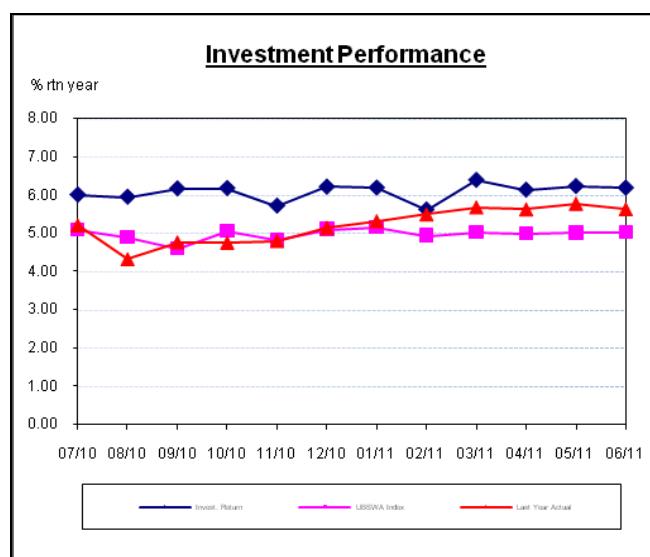
<b>Income Earned vs. Original Budget (\$1.92 m)</b>			
Month	Monthly Interest	YTD % to Budget	Last Year Actual
	\$	%	\$
Jul-10	228,945	11.92%	198,969
Aug-10	242,466	24.49%	169,699
Sep-10	267,074	38.36%	190,493
Oct-10	263,682	50.98%	190,704
Nov-10	237,609	64.57%	179,973
Dec-10	252,535	77.72%	195,005
Jan-11	249,718	90.73%	193,147
Feb-11	229,823	102.70%	178,607
Mar-11	260,809	116.28%	209,710
Apr-11	244,641	127.17%	203,511
May-11	247,187	143.09%	217,970
Jun-11	248,259	155.68%	208,391
	<b>3,015,228</b>		<b>2,336,179</b>



The investment return for June 2011 of \$241,631 exceeded the respective benchmarks and the budget for the month. The favourable result when compared to budget is a combination of higher than budget returns coupled with higher than budgeted average investment balances held. In the June 2011 Budget Review the estimated total investment revenue increased by \$1,637,900 to \$3,560,800 from the original budget of \$1,922,900. The increase resulted from \$1,037,900 additional interest income and \$ 600,000 increase in fair value of structured securities.

The monthly portfolio returns detailed below are calculated on the face value of Council's investment portfolio.

<b>Investment Performance - % return annualised</b>			
Month	Invest. Return	UBSWA Index	Last Year Actual
	%	%	%
Jul-10	6.01	5.09	5.21
Aug-10	5.95	4.89	4.33
Sep-10	6.17	4.61	4.77
Oct-10	6.18	5.06	4.76
Nov-10	5.72	4.83	4.80
Dec-10	6.22	5.11	5.15
Jan-11	6.20	5.16	5.32
Feb-11	5.62	4.95	5.50
Mar-11	6.40	5.04	5.68
Apr-11	6.14	5.01	5.63
May-11	6.24	5.02	5.77
Jun-11	6.19	5.03	5.63
<b>average</b>	<b>6.09</b>	<b>4.98</b>	<b>5.21</b>



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#### Investment Report for June 2011 (cont'd)

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Council's total investment portfolio return on face value for June 2011 is 6.02% annualised (May 2011: 6.83%) which is 0.99% above the UBSWA benchmark of 5.03%.

The investment portfolio return on marked-to-market basis as calculated by Oakvale Capital is 6.32% annualised for the month (May 2011: 5.86%), outperformed the benchmark bank bill index of 5.03% by 1.29%.

#### **4) Investment Commentary**

The Reserve Bank of Australia (RBA) maintained the official cash rate of 4.75% at its July Board meeting. Consumers are being more cautious, therefore growth through 2011 is unlikely to be as strong as earlier forecasted and underlying inflation has been at the bottom half of the target range.

As estimated by Oakvale Capital, the total market fair value of Council's holdings of CDOs has reduced by \$34,000 in June 2011 (May: \$9,000 decrease). The fair value of current structured securities holding by Council is \$2.83 million, an increase of \$234,000 from the position as at June 30, 2010.

In June 2010, Oakvale Capital advised the face value of Council's investment in Corsair Torquay has been reduced from \$1,500,000 to \$ 774,411. Given the long maturity profile of Corsair Torquay (June 2013), the risk of full capital loss is extremely high.

At Council's April 2011 Meeting (Minute Number 082/11), it is resolved to adopt Council's Investment Policy and Strategy Review as recommended by Oakvale Capital Limited. In addition, Council adopted Oakvale's recommendation of holding and monitoring the Magnolia Finance "Flinders AA" security and the previous resolution to divest of the security at a minimum of eighty seven cents in the dollar or higher be rescinded.

The investment portfolio is regularly reviewed in order to maximise investment performance and minimise risk. Council's investment portfolio has been reviewed and rebalanced in favour of investments not subject to share market volatility. Comparisons are made between existing investments with available products that are not part of Council's portfolio. Independent advice from Oakvale Capital is sought on new investment opportunities.

#### **ATTACHMENTS (to be circulated to Councillors under separate cover)**

- Annexure 1      Summary of Investment Portfolio as at 30 June 2011, Oakvale Capital  
-T052262/2011**
- Annexure 2      Economic and Investment Portfolio Commentary for June 2011,  
Oakvale Capital – T052260/2011**
- Annexure 3      Monthly Economic Report July 2011, Oakvale Capital – T051794/2011**

**AUBURN CITY COUNCIL**

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**228/11 Business and Finance Activity and OH&S Statistics Report for  
June 2011**

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S-18-08/04 PV : PV

**SUMMARY**

Statistics, graphs and information on the Business & Finance Department's activities as well as OH&S statistics for all of Council's workforce for the month of June, 2011.

**RECOMMENDATION**

*That the report be received and the information therein noted.*

**REPORT****FINANCE, ADMINISTRATION & CUSTOMER SERVICES****Rate Levy Collected %**

This statistic shows the amount of cash collected as a percentage of the levy after deducting the pensioner rate rebate. Rates instalments are due in August, November, February and May and collections will peak in those months.

**Section 603 Certificates**

These certificates show outstanding rates and charges and are required when properties are being bought and sold.

**Property Transfers Processed**

The Land Titles Office provides Council with details of changes of ownership of properties. These changes must be input to Council's rates database to ensure rates are levied on current owners.

**Cheques Drawn / EFT Transactions**

The majority of payments to Council suppliers of goods and services are made by electronic funds transfer and the balance by cheque.

**Purchase Orders Raised**

There is a statutory requirement to raise a purchase order for all goods and services. This ensures that it is quite clear as to the contract being entered into to supply these goods and services. In addition, Council's computer system commits the amount of the order raised to the appropriate account when the order is generated. This allows much greater control over costs by recognising the cost immediately a commitment is made.

Business and Finance Activity and OH&S Statistics Report for June 2011 (cont'd)

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Stores Issued

Council's computer includes an online stores system which updates stockholdings as soon as issues and receipts are entered into the system. This allows better stock control, reduces stock-outs and assists in keeping levels to the minimum required.

Insurance Claims Processed

Council receives a variety of insurance claims including personal injury or property damage for falling on footpaths, workers compensation, damage to sewer pipes from street trees, professional indemnity and other claims relating to the use by the public of Council's property. Risk management strategies are being implemented to reduce Council's exposure and insurance premium costs. Workers Compensation claims are not included in the claim statistics included in this report.

Citizenship Ceremonies

This shows the number of candidates receiving citizenship.

Telephone Enquiries

This shows the number of enquiries received through the Customer Service Centre.

Counter Enquiries

This shows the number of enquiries received through the Customer Service Centre. Internal enquiries are also included.

Receipts Issued

This shows the number of receipts issued, both for counter payments and payments through the mail.

Access to Information Requests

This includes both formal Freedom of Information enquiries and enquiries for information under the Local Government Act.

Records Registered

This shows the number of all incoming correspondence, internal and outgoing documentation which has been captured and registered onto TRIM.

Council Website Hits

This shows the number of "hits" Council's Website has received during the month.

Incoming Email

This reflects the number of virus/spam-free emails received.



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Business and Finance Activity and OH&S Statistics Report for June 2011 (cont'd)

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Injury Statistics

This shows the number of injuries and the type, the number per month and per Department, lost time hours, and the Workcover premium for each year since 2001.

**ATTACHMENTS**

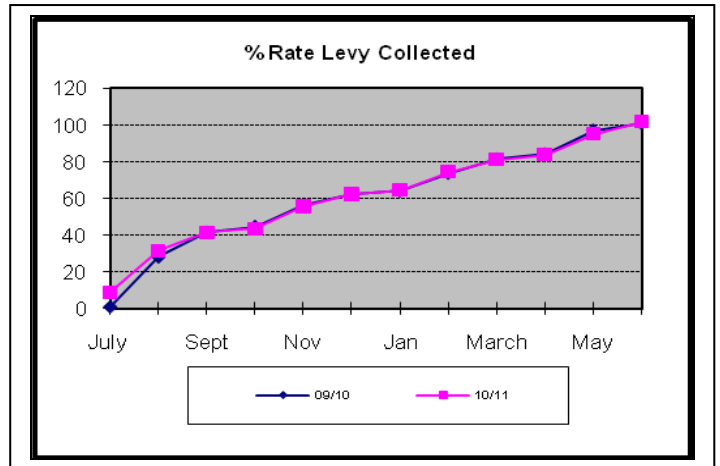
1. Appendix I - Business & Finance Activity Statistics for June 2011 – T053693/2011
2. Appendix II – OH&S Statistics for June 2011 – T053696/2011

Business and Finance Activity and OH&S Statistics Report for June 2011 (cont'd)

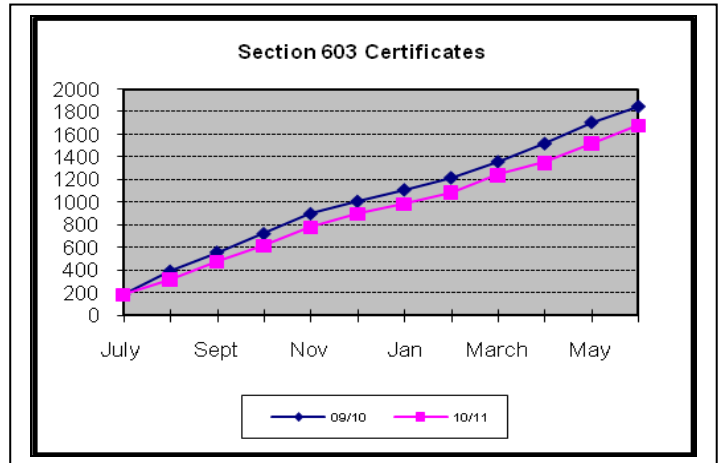
**ATTACHMENT 1**

**APPENDIX I**  
**Business & Finance Activity Statistics**

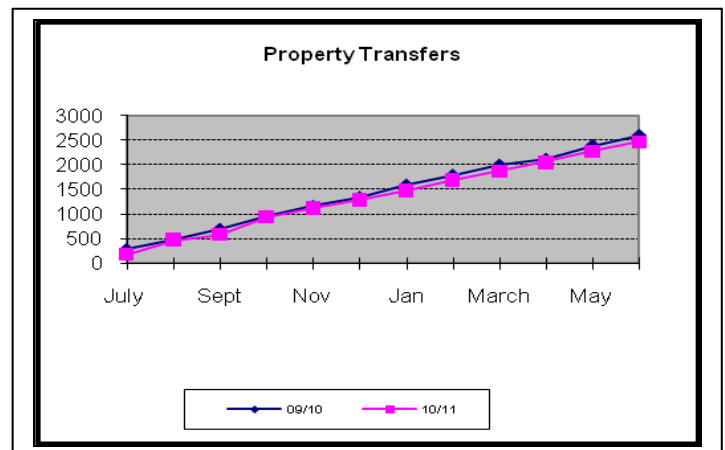
	09/10	YTD 09/10	10/11	YTD 10/11
July	1.12	1.12	9.30	9.30
August	27.23	28.35	22.51	31.81
Sept	13.42	41.77	9.96	41.77
Oct	3.09	44.86	1.82	43.59
Nov	11.58	56.44	12.39	55.98
Dec	6.36	62.80	6.36	62.34
Jan	1.56	64.36	2.33	64.67
Feb	9.64	74.00	9.97	74.64
March	7.69	81.69	6.76	81.40
April	2.72	84.41	2.64	84.04
May	12.97	97.38	11.34	95.38
June	3.92	101.30	6.35	101.73



	09/10	YTD 09/10	10/11	YTD 10/11
July	183	183	187	187
August	207	390	133	320
Sept	167	557	158	478
Oct	164	721	144	622
Nov	177	898	157	779
Dec	109	1007	125	904
Jan	102	1109	83	987
Feb	106	1215	103	1090
March	142	1357	153	1243
April	160	1517	110	1353
May	188	1705	171	1524
June	140	1845	157	1681



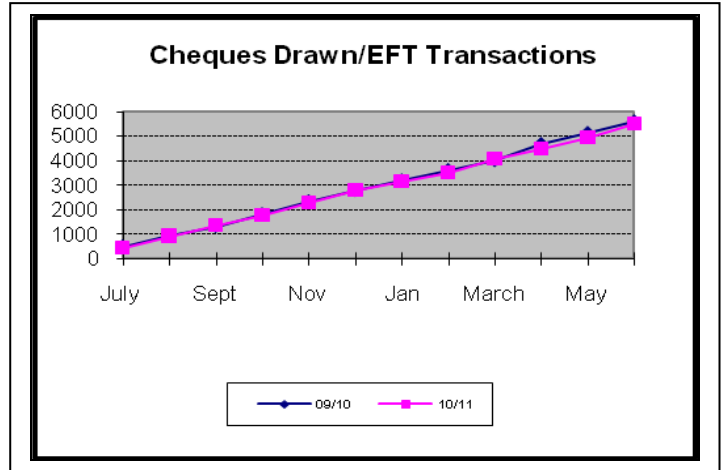
	09/10	YTD 09/10	10/11	YTD 10/11
July	284	284	177	177
August	190	474	293	470
Sept	218	692	114	584
Oct	264	956	350	934
Nov	204	1160	180	1114
Dec	181	1341	171	1285
Jan	250	1591	191	1476
Feb	201	1792	211	1687
March	206	1998	177	1864
April	118	2116	188	2052
May	281	2397	216	2268
June	204	2601	194	2462



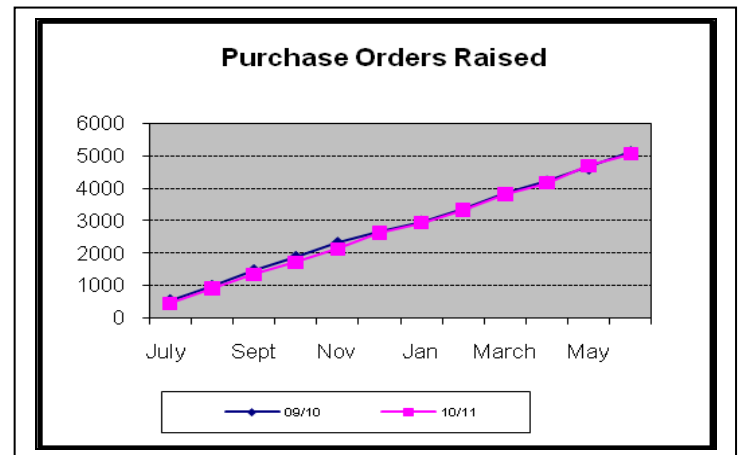
Business and Finance Activity and OH&S Statistics Report for June 2011 (cont'd)

**ATTACHMENT 1**

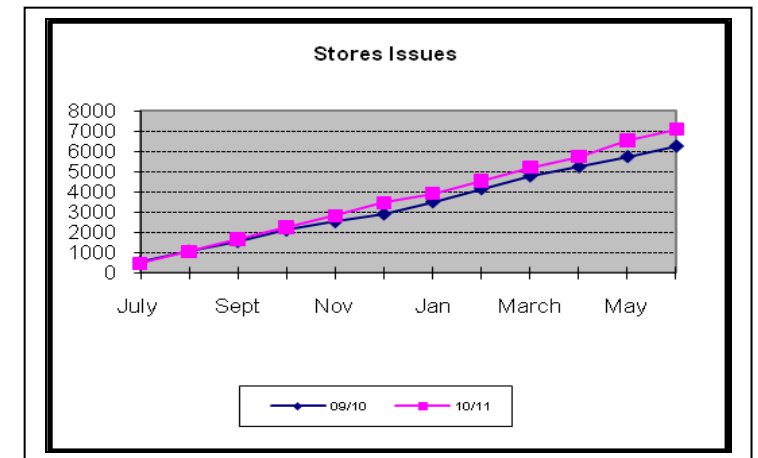
		YTD		YTD	
	09/10	09/10	10/11	10/11	10/11
July	482	482	444	444	444
August	437	919	468	912	912
Sept	389	1308	456	1368	1368
Oct	489	1797	412	1780	1780
Nov	527	2324	504	2284	2284
Dec	455	2779	501	2785	2785
Jan	403	3182	360	3145	3145
Feb	420	3602	376	3521	3521
March	399	4001	548	4069	4069
April	670	4671	420	4489	4489
May	453	5124	476	4965	4965
June	471	5595	542	5507	5507



		YTD		YTD	
	09/10	09/10	10/11	10/11	10/11
July	521	521	444	444	444
August	443	964	463	907	907
Sept	483	1447	419	1326	1326
Oct	417	1864	381	1707	1707
Nov	433	2297	405	2112	2112
Dec	332	2629	499	2611	2611
Jan	330	2959	320	2931	2931
Feb	385	3344	392	3323	3323
March	484	3828	485	3808	3808
April	369	4197	356	4164	4164
May	445	4642	528	4692	4692
June	463	5105	354	5046	5046



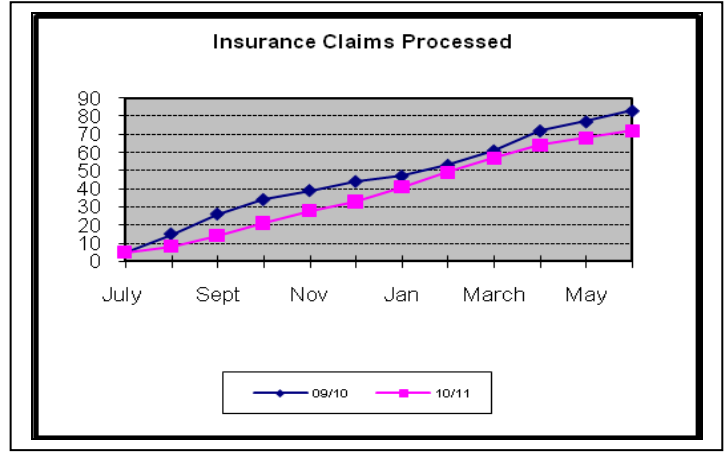
		YTD		YTD	
	09/10	09/10	10/11	10/11	10/11
July	557	557	503	503	503
August	538	1095	562	1065	1065
Sept	473	1568	628	1693	1693
Oct	562	2130	572	2265	2265
Nov	405	2535	568	2833	2833
Dec	378	2913	637	3470	3470
Jan	598	3511	464	3934	3934
Feb	645	4156	607	4541	4541
March	621	4777	667	5208	5208
April	449	5226	535	5743	5743
May	498	5724	794	6537	6537
June	512	6236	540	7077	7077



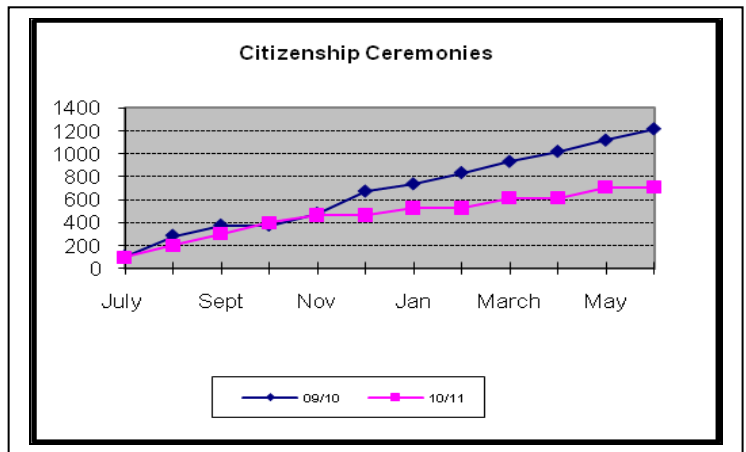
Business and Finance Activity and OH&S Statistics Report for June 2011 (cont'd)

**ATTACHMENT 1**

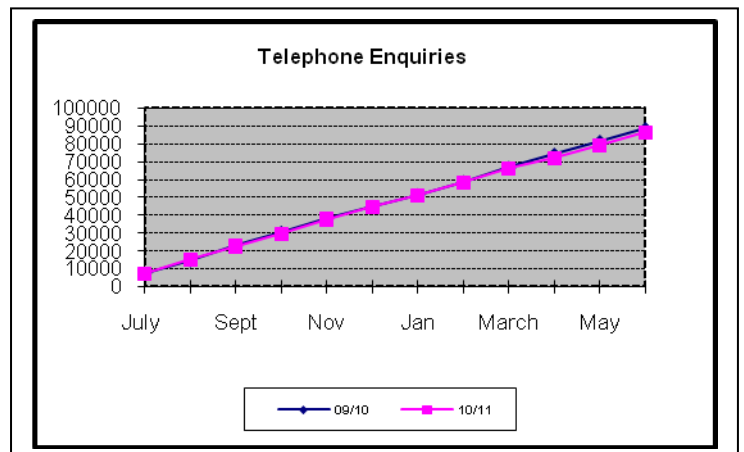
		YTD		YTD	
	09/10	09/10	10/11	10/11	10/11
July	5	5	5	5	5
August	10	15	3	8	8
Sept	11	26	6	14	14
Oct	8	34	7	21	21
Nov	5	39	7	28	28
Dec	5	44	5	33	33
Jan	3	47	8	41	41
Feb	6	53	8	49	49
March	8	61	8	57	57
April	11	72	7	64	64
May	5	77	4	68	68
June	6	83	4	72	72



		YTD		YTD	
	09/10	09/10	10/11	10/11	10/11
July	107	107	100	100	100
August	182	289	102	202	202
Sept	90	379	102	304	304
Oct	0	379	99	403	403
Nov	103	482	66	469	469
Dec	194	676	0	469	469
Jan	64	740	61	530	530
Feb	98	838	0	530	530
March	98	936	89	619	619
April	88	1024	0	619	619
May	99	1123	92	711	711
June	98	1221	0	711	711



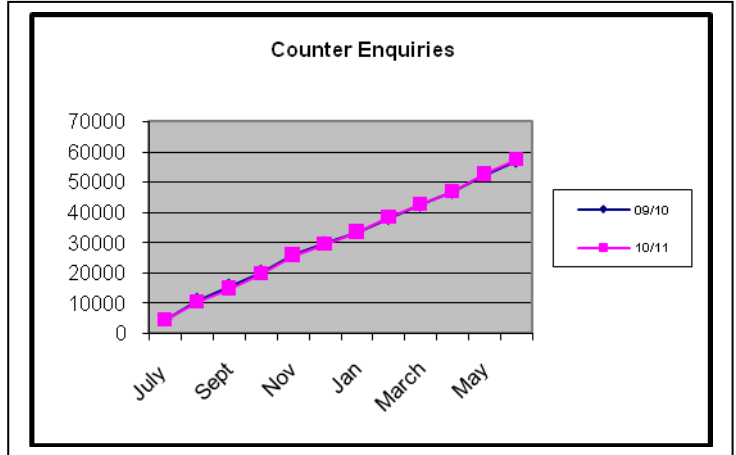
		YTD		YTD	
	09/10	09/10	10/11	10/11	10/11
July	7447	7447	7608	7608	7608
August	7414	14861	7609	15217	15217
Sept	8041	22902	7619	22836	22836
Oct	7439	30341	7075	29911	29911
Nov	7787	38128	8071	37982	37982
Dec	6668	44796	6652	44634	44634
Jan	6564	51360	6756	51390	51390
Feb	7298	58658	7069	58459	58459
March	7951	66609	7751	66210	66210
April	7394	74003	5934	72144	72144
May	7194	81197	7208	79352	79352
June	7188	88385	6990	86342	86342



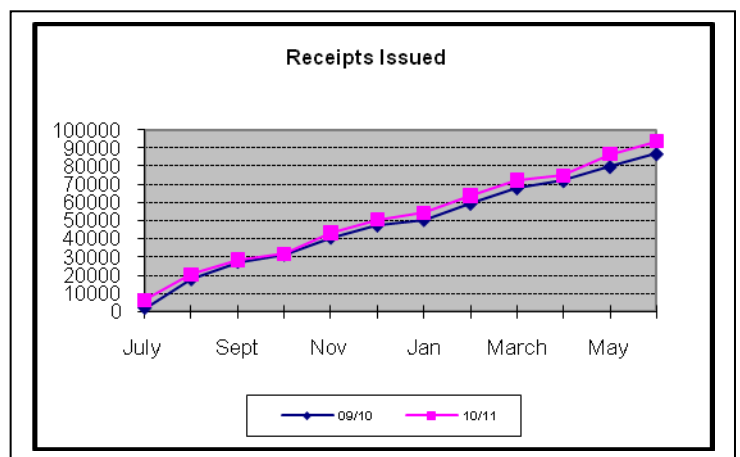
Business and Finance Activity and OH&S Statistics Report for June 2011 (cont'd)

**ATTACHMENT 1**

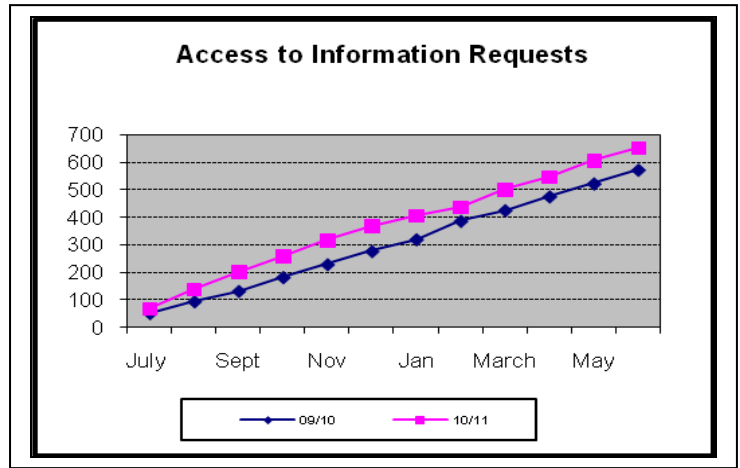
		YTD		YTD	
	09/10	09/10	10/11	10/11	10/11
July	4562	4562	4542	4542	
August	6400	10962	5985	10527	
Sept	4659	15621	4389	14916	
Oct	4598	20219	4765	19681	
Nov	5789	26008	6219	25900	
Dec	3695	29703	3736	29636	
Jan	3736	33439	3948	33584	
Feb	4683	38122	4830	38414	
March	4318	42440	4324	42738	
April	4280	46720	4328	47066	
May	5518	52238	5689	52755	
June	4700	56938	4828	57583	



		YTD		YTD	
	09/10	09/10	10/11	10/11	10/11
July	1824	1824	6556	6556	
August	15823	17647	14079	20635	
Sept	9665	27312	8019	28654	
Oct	3921	31233	3096	31750	
Nov	9340	40573	11574	43324	
Dec	6778	47351	7283	50607	
Jan	2987	50338	3853	54460	
Feb	9056	59394	9469	63929	
March	8501	67895	8262	72191	
April	3949	71844	2694	74885	
May	7776	79620	11912	86797	
June	7074	86694	6842	93639	



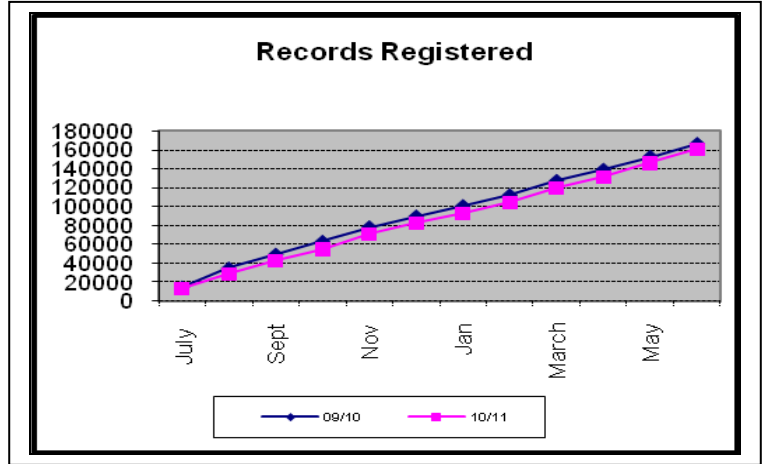
		YTD		YTD	
	09/10	09/10	10/11	10/11	10/11
July	51	51	67	67	
August	43	94	69	136	
Sept	38	132	64	200	
Oct	50	182	58	258	
Nov	47	229	58	316	
Dec	48	277	52	368	
Jan	43	320	38	406	
Feb	67	387	31	437	
March	39	426	64	501	
April	50	476	46	547	
May	47	523	59	606	
June	50	573	46	652	



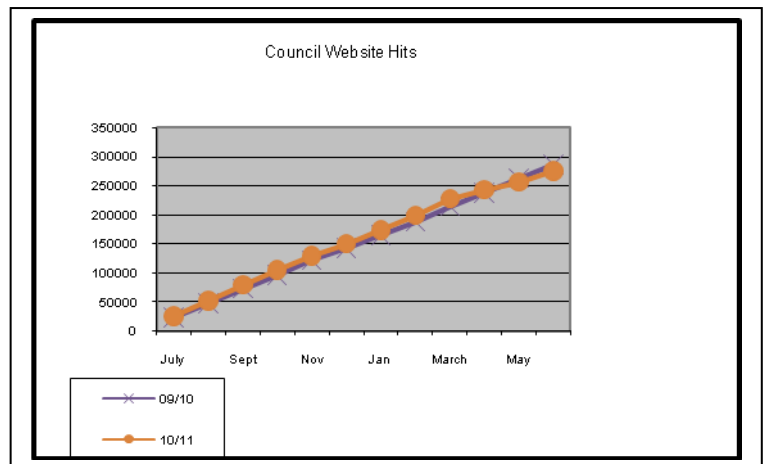
Business and Finance Activity and OH&S Statistics Report for June 2011 (cont'd)

**ATTACHMENT 1**

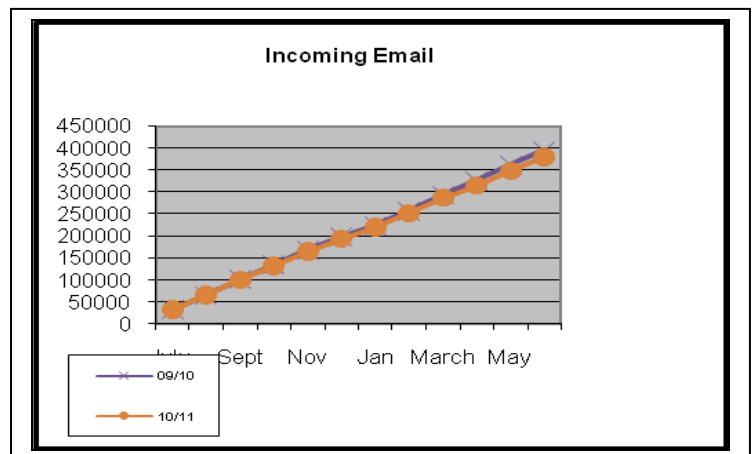
	YTD		YTD	
	09/10	09/10	10/11	10/11
July	15414	15414	14116	14116
August	19991	35405	15031	29147
Sept	14507	49912	14437	43584
Oct	13618	63530	11771	55355
Nov	15187	78717	16028	71383
Dec	11355	90072	11248	82631
Jan	10976	101048	10415	93046
Feb	11242	112290	11764	104810
March	15126	127416	15284	120094
April	11712	139128	11672	131766
May	13597	152725	14481	146247
June	13598	166323	14531	160778



	YTD		YTD	
	09/10	09/10	10/11	10/11
July	23983	23983	25047	25047
August	24101	48084	26691	51738
Sept	25299	73383	27368	79106
Oct	23993	97376	25098	104204
Nov	24877	122253	25289	129493
Dec	19933	142186	19981	149474
Jan	22448	164634	23492	172966
Feb	23181	187815	24977	197943
March	26297	214112	28974	226917
April	22900	237012	15155	242072
May	25569	262581	13362	255434
June	23310	285891	19245	274679



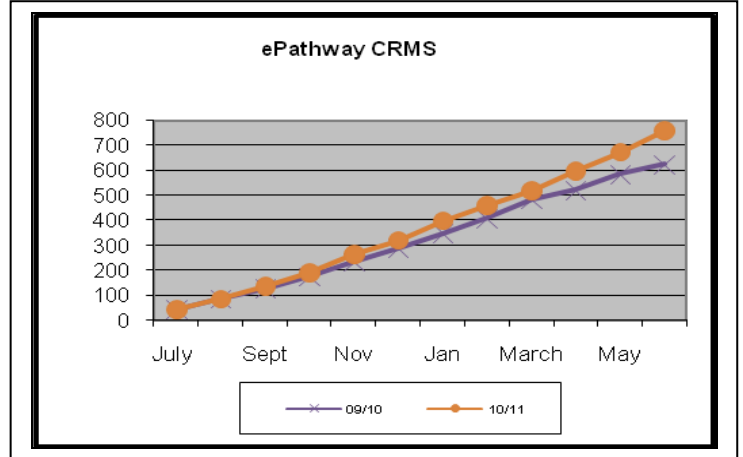
	YTD		YTD	
	09/10	09/10	10/11	10/11
July	33479	33479	32278	32278
August	32377	65856	34239	66517
Sept	36772	102628	33717	100234
Oct	32774	135402	31672	131906
Nov	34000	169402	33436	165342
Dec	29470	198872	28510	193852
Jan	25982	224854	26575	220427
Feb	32988	257842	32132	252559
March	37014	294856	35586	288145
April	31237	326093	27302	315447
May	35133	361226	33786	349233
June	34272	395498	31744	380977



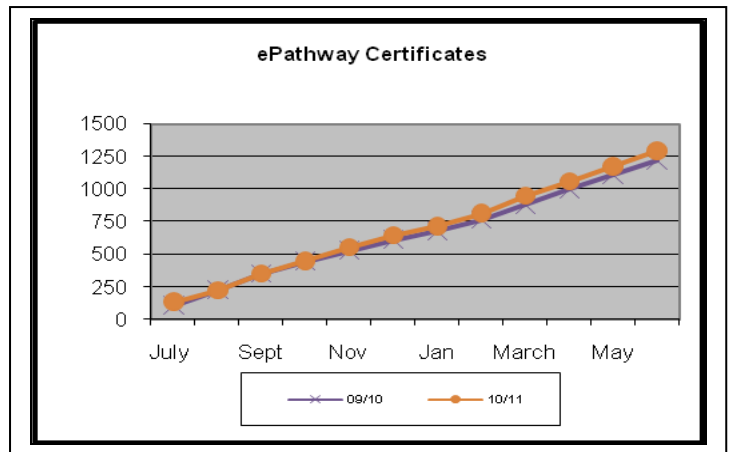
Business and Finance Activity and OH&S Statistics Report for June 2011 (cont'd)

**ATTACHMENT 1**

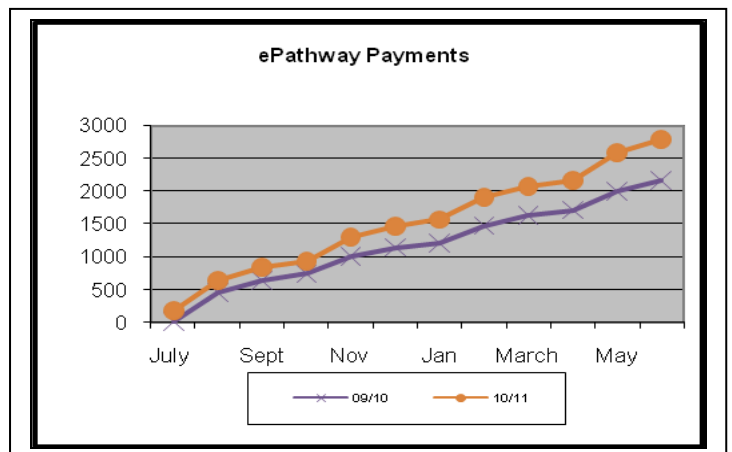
		YTD		YTD	
	09/10	09/10	10/11	09/10	10/11
July	42	42	42	42	42
August	43	85	42	84	84
Sept	42	127	51	135	135
Oct	47	174	55	190	190
Nov	58	232	74	264	264
Dec	56	288	55	319	319
Jan	59	347	79	398	398
Feb	60	407	62	460	460
March	75	482	58	518	518
April	37	519	79	597	597
May	64	583	76	673	673
June	41	624	86	759	759



		YTD		YTD	
	09/10	09/10	10/11	09/10	10/11
July	103	103	132	103	132
August	121	224	90	222	222
Sept	125	349	129	351	351
Oct	97	446	98	449	449
Nov	84	530	102	551	551
Dec	82	612	92	643	643
Jan	67	679	71	714	714
Feb	88	767	98	812	812
March	116	883	135	947	947
April	117	1000	109	1056	1056
May	113	1113	115	1171	1171
June	112	1225	123	1294	1294



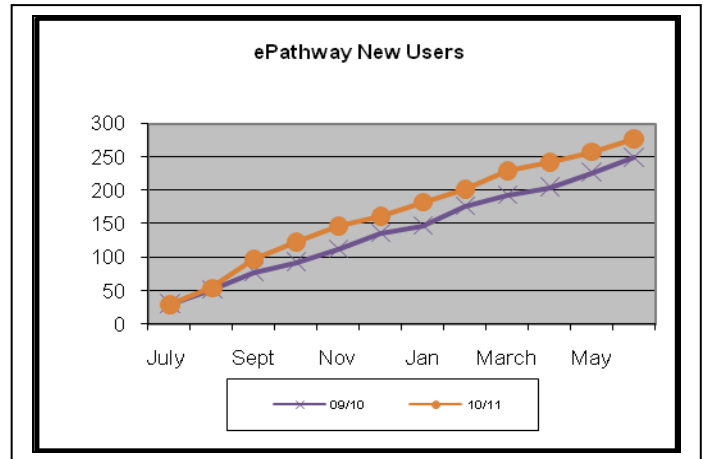
		YTD		YTD	
	09/10	09/10	10/11	09/10	10/11
July	21	21	182	21	182
August	444	465	465	444	647
Sept	185	650	197	844	844
Oct	98	748	96	940	940
Nov	267	1015	366	1306	1306
Dec	130	1145	160	1466	1466
Jan	70	1215	108	1574	1574
Feb	261	1476	332	1906	1906
March	151	1627	171	2077	2077
April	85	1712	92	2169	2169
May	287	1999	416	2585	2585
June	166	2165	210	2795	2795



Business and Finance Activity and OH&S Statistics Report for June 2011 (cont'd)

**ATTACHMENT 1**

	09/10	YTD		YTD	
		09/10	10/11	10/11	10/11
July	30	30	29	29	
August	22	52	25	54	
Sept	26	78	43	97	
Oct	15	93	26	123	
Nov	19	112	24	147	
Dec	24	136	15	162	
Jan	11	147	21	183	
Feb	30	177	19	202	
March	16	193	28	230	
April	12	205	13	243	
May	22	227	15	258	
June	23	250	20	278	





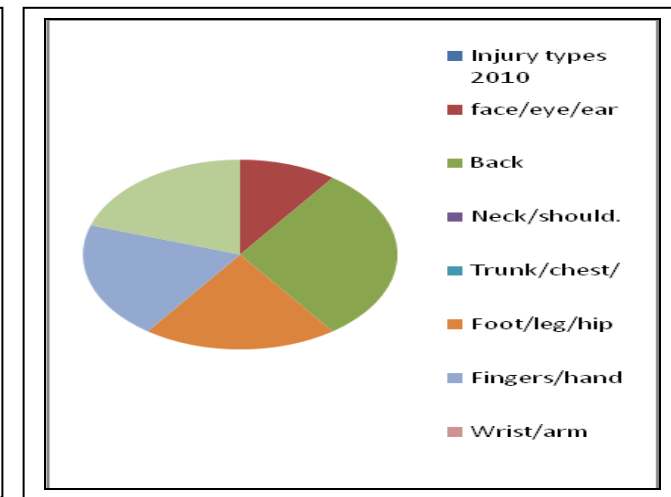
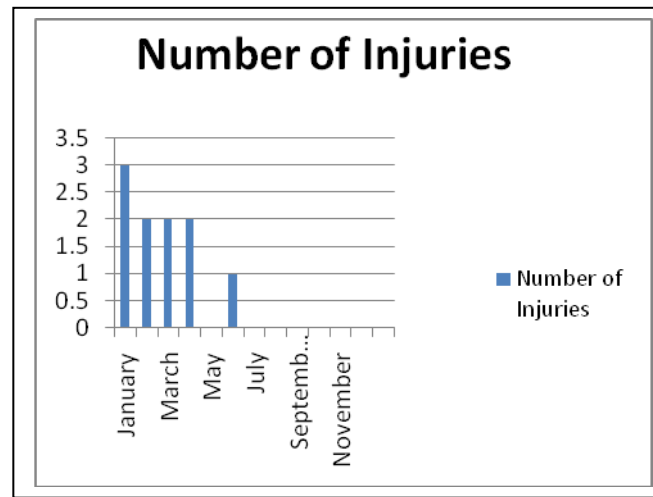
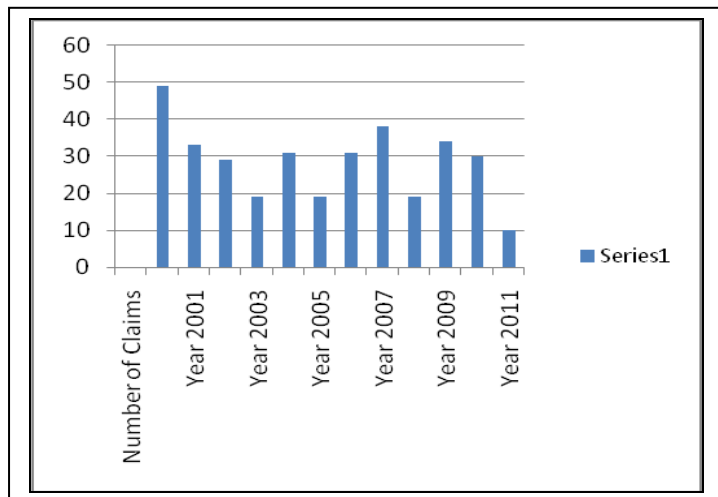
Business and Finance Activity and OH&S Statistics Report for June 2011 (cont'd)

**ATTACHMENT 2**

Number of Claims	
Year 2000	49
Year 2001	33
Year 2002	29
Year 2003	19
Year 2004	31
Year 2005	19
Year 2006	31
Year 2007	38
Year 2008	19
Year 2009	34
Year 2010	30
Year 2011	10

Month	Number of Injuries
January	3
February	2
March	2
April	2
May	0
June	1
July	
August	
September	
October	
November	
December	

Injury types 2010	
face/eye/ear	1
Back	3
Neck/should.	
Trunk/chest/	
Foot/leg/hip	2
Fingers/hand	2
Wrist/arm	
Other	2
<b>Total</b>	<b>10</b>



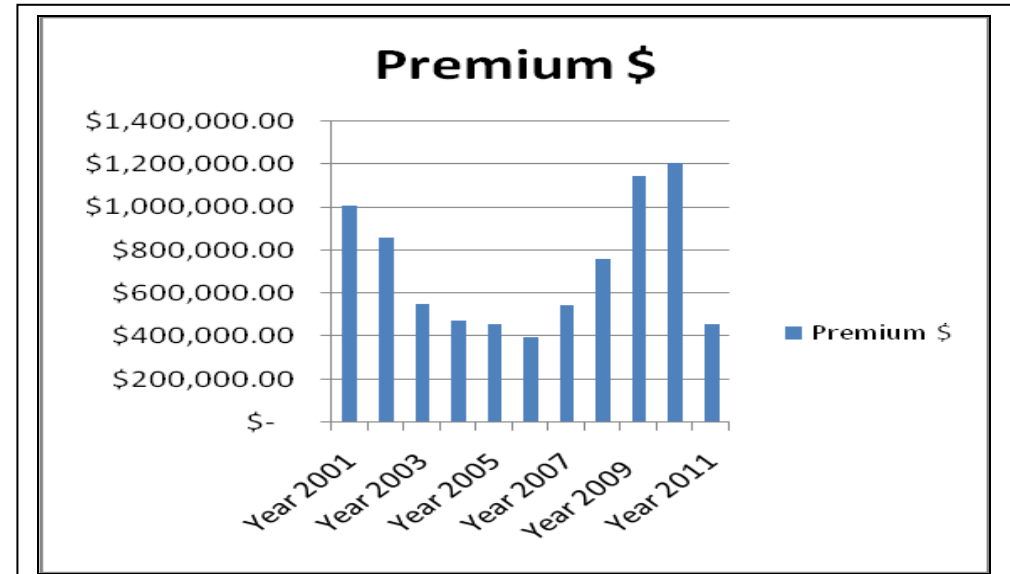
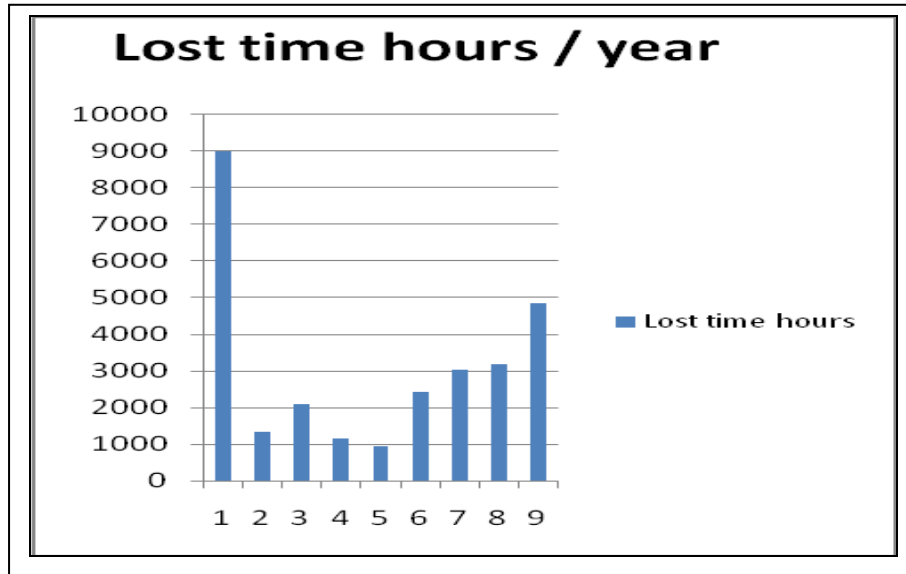
Business and Finance Activity and OH&S Statistics Report for June 2011 (cont'd)

**ATTACHMENT 2**

Year	Lost time hours
2002	8994
2003	1325
2004	2095
2005	1161
2006	944
2007	2410
2008	3042
2009	3173
2010	4849
2011	3134

End June

Year	Premium \$
Year 2001	\$ 1,008,634.00
Year 2002	\$ 862,199.00
Year 2003	\$ 551,000.00
Year 2004	\$ 473,049.00
Year 2005	\$ 455,780.00
Year 2006	\$ 399,000.00
Year 2007	\$ 547,225.00
Year 2008	\$ 759,000.00
Year 2009	\$ 1,147,983.00
Year 2010 Est.	\$1,209,572.00
Year 2011	\$455,650.00



**AUBURN CITY COUNCIL**

August 10, 2011  
To the Ordinary Meeting of Council

Director's Report  
Business & Finance  
Department

**229/11 Report on Actions from Council Decisions**

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C-28-17 BC : MW

**SUMMARY**

A summary is provided of the actions arising from the decisions of the Council which are yet to be finalised save for those decisions at the most recent meeting.

**RECOMMENDATION**

*That the report be received and the information therein noted.*

**REPORT**

There are currently no actions outstanding.