

**EXPLANATORY NOTE**  
**DRAFT VOLUNTARY PLANNING AGREEMENT**  
**PLANNING PROPOSAL FOR 2-4 BURBANK PLACE, NORWEST**  
**PROPOSED COMMERCIAL DEVELOPMENT**

**Background**

The developer has lodged a Planning Proposal with Council for land at 2-4 Burbank Place in Norwest Business Park. The redevelopment of the site will contribute to the long term employment growth within the Norwest Business Park and facilitate jobs growth within the Shire. The proposal has strategic merit, as it aligns with Council's vision for Norwest Business Park being a high density employment centre for the Shire.

The proposal will enable Norwest to fulfil its role as a specialised commercial office precinct within Greater Sydney. Upon approval of the Planning Proposal, the developer proposes to lodge a development application with the Council for the site.

The developer has offered to enter into the Planning Agreement in connection with the Planning Proposal to specify that development contributions be made to Council in association with the carrying out of the Proposed Development subject to and in accordance with the Planning Agreement.

**Summary of Objectives, Nature and Effect of the proposed Planning Agreement**

The objective of the draft Planning Agreement is to record the terms of the offer made by the developer and its obligation to provide monetary contributions which will be used by Council to provide infrastructure in the area.

The Planning Agreement relates to the delivery of infrastructure to support the increased demands for road infrastructure and public domain improvement works, and is generally consistent with The Hills Local Environmental Plan 2019 and The Hills Development Control Plan requirements for development in Norwest.

If the proposed Planning Agreement is entered into between the developer and the Council, the developer will be required to make the Development Contributions as set out in Schedule 1 of the Planning Agreement. The contributions respond to ongoing development in Norwest Business Park, the Sydney Metro Northwest and are consistent with the objectives of Council's Contributions Plans to improve public amenity and provide new infrastructure.

**Assessment of the Merits of the proposed Planning Agreement and Impact on the Public**

The Planning Agreement provides for contributions by the developer of approximately \$2.3 million at the times set out in Schedule 1 of the Planning Agreement. This contribution will be payable as a % of the cost of development determined as part of future Development Applications.

It has been entered into to provide certainty for the developer and the Council as to the amount to be paid by way of contribution for infrastructure and is targeted to the particular needs in the locality and opportunities arising from the proposed development.

**Identification of how the proposed Planning Agreement promotes the public interest**

The Planning Agreement will support the provision of new development to meet demand for employment, consistent with the Greater Sydney Region Plan, Central City District Plan, Council's Local Strategic Planning Statement and The Hills Corridor Strategy. The Planning Agreement

supports the delivery of infrastructure required to meet traffic concerns and future commercial employment business needs resulting in significant public benefit and amenity.

**Identification of how the proposed Planning Agreement promotes elements of the Council's charter under the Local Government Act 1993**

The Planning Agreement promotes the Council's charter under section 8 of the *Local Government Act 1993* by providing adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively. The Planning Agreement further keeps the local community informed of Council's activities.

**Identification of the planning purpose served by the proposed Planning Agreement and whether the proposed Planning Agreement provides for a reasonable means of achieving that purpose**

The Planning Agreement provides a reasonable means of achieving and securing outcomes envisaged by The Hills Local Environmental Plan 2019 and The Hills Development Control Plan by identifying the rate of payment and timing to ensure the public benefits secured by the Planning Agreement meet the increased demand for public facilities within the Norwest Precinct resulting from the development.

**Identification of whether the agreement conforms with the Council's capital works program**

The Planning Agreement will assist in providing for local needs and infrastructure, noting that Council has not yet accounted for development of this scale in the contributions framework.