

Explanatory Note

Environmental Planning and Assessment Regulation 2000 (Clause 25E) Draft Planning Agreement – 29 Hunter Street, Parramatta Under s93F of the Environmental Planning and Assessment Act 1979

1. Introduction

The purpose of this explanatory note is to provide a plain English summary to support the notification of the proposed planning agreement (the “**Planning Agreement**”) prepared under Subdivision 2 of Division 6 of Part 4 of the *Environmental Planning and Assessment Act 1979* (“**the Act**”).

This explanatory note has been prepared jointly by the parties as required by Clause 25E of the *Environmental Planning and Assessment Regulation 2000*.

2. Parties

The parties to the Planning Agreement are JKN Para 1 Pty Ltd (ABN 160 104 316) (the “**Developer**”) and Parramatta City Council (the “**Council**”).

3. Description of Subject Land

The Planning Agreement applies to land identified as 29 Hunter Street Parramatta, known as Lot 20 DP740212.

4. Description of Proposed Development Application

The Development Application seeks approval for the addition of 5 residential storeys to an approved development and an increase to the floor to ceiling heights of 7 approved storeys. As a result, the development of the site will involve the erection of a 28 storey mixed use building containing 133 residential units and 3 commercial/retail tenancies.

5. Summary of Objectives, Nature and Effect of the Draft Planning Agreement

The objectives of the Planning Agreement are to provide an additional community benefit resulting from the increased residential density sought under the Development Application.

Under the terms of the Planning Agreement, the Developer will be required to:

- Dedicate to Council for affordable housing a three bedroom unit known as unit 102 and located on Level 1 and one ancillary basement car space.
- At its cost, construct and fit out the dedicated unit. The unit shall be installed with a fridge, dishwasher, microwave oven, washing machine and dryer.

6. Assessment of the Merits of the Draft Planning Agreement

The Planning Purposes served by the Draft Planning Agreement is the provision of an increased community benefit as a result of the increased residential density sought on the land. The increased residential density is facilitated through an increase to the overall height of the building. The proposed building height maintains compliance with the maximum height permitted under Clause 21 of the Parramatta City Centre LEP 2007.

The planning purposes served by the draft planning agreement

In accordance with Section 93F(2) of the EPA Act, the Planning Agreement has the following public purposes:

- The provision of affordable housing.

The Developer Obligations outlined in the Planning Agreement provide a suitable means for achieving these purposes.

How the draft planning agreement promotes the objects of the Environmental Planning and Assessment Act 1979

In accordance with Section 5 of the EPA Act, the Planning Agreement promotes the Objects of the EPA Act and specifically achieves the Objectives stated at Section 5(a)(i) to 5(a)(vii) in the following manner:

- Represents an orderly and economic use and development of land; and
- Provision and maintenance of affordable housing.

How the draft planning agreement promotes the public interest

The Planning Agreement is in the public interest as it will result in the provision of affordable housing. This will contribute towards meeting the present and future needs of the local community including key workers and low income households.

How the draft planning agreement promotes elements of Council's charter

In accordance with Clause 25E(2)(d), Council's charter is provided at Section 8 of the Local Government Act 1993. In this respect, the Planning Agreement promotes the Council's charter in the following ways:

- Provides adequate, equitable and appropriate services and facilities for the community, in the form of the Developer's Obligations, as outlined in the Planning Agreement.

Whether the agreement, amendment or revocation conforms with Council's capital works program

The proposal confirms with Council's Affordable Housing Policy. As works are not directly proposed on land owned or managed by Council, there is no impact upon Council's Works Program.