

EXPLANATORY NOTE

Draft Planning Agreement for 21 Hassall Street, Parramatta

Prepared in accordance with the requirements of Clause 25E of the Environmental Planning and Assessment Regulation 2000

Introduction

The purpose of this Explanatory Note is to provide a summary to support the public exhibition of a draft Planning Agreement (***Planning Agreement***) made pursuant to Section 93F of the Environmental Planning and Assessment Act 1979, in relation to a development application for the site known as 21 Hassall Street, Parramatta.

This Explanatory Note has been prepared jointly by the parties, as required by Clause 25E(3) of the Environmental Planning and Assessment Regulation 2000.

Draft Planning Agreement

The draft Planning Agreement is between Imperia Capital Pty Ltd and Parramatta City Council under s93F of the Environmental Planning & Assessment Act, 1979.

Parties to the Planning Agreement

The parties to the Planning Agreement are Imperia Capital Pty Ltd (***Developer***) and Parramatta City Council (***Council***).

Description of the subject land

The Planning Agreement applies to 21 Hassall Street, Parramatta (Lot 12 DP 654190) (***Land***).

Description of the Development Application

The Land is subject to a Development Application (Council Ref: DA/87/2013) that seeks demolition and construction of a 10 storey mixed use development containing 1 retail outlet and 30 dwellings over basement car parking. The development proposal seeks a floorspace equating to a Floor Space Ratio (FSR) of 4.6:1, exceeding the provisions of the Parramatta City Centre Local Environmental Plan 2007 by approximately 298sqm.

Summary of objectives, nature and effect of the draft Planning Agreement

The objective of the Planning Agreement is to secure public benefits associated with the future redevelopment of the subject site. The nature and effect of the Planning Agreement will involve the implementation of the Developer's Works, as set out in the Planning Agreement, being the construction of the Wigram Street footpath (western side) between 21 Hassall Street and the Sydney Water drainage channel.

ASSESSMENT OF THE MERITS OF THE DRAFT PLANNING AGREEMENT

The planning purposes served by the draft Planning Agreement

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

- The provision of public amenities and facilities

The Developer's Works outlined in the draft 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 draft 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
- Provides for public amenities and facilities, through the implementation of the Developer's Works outlined within the Planning Agreement;

How the draft planning agreement promotes the public interest

The Planning Agreement is in the public interest as it will result in the delivery of public amenities and facilities to the benefit of the local community. In addition, the planning agreement will provide for an improved pedestrian environment. This will contribute towards meeting the present and future needs of the local community.

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 draft 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 Works, as outlined in the Planning Agreement; and
- Properly manages, develops, protects, restores, enhances and conserves the environment in a manner which is consistent with, and promotes the principles of, ecologically sustainable development.

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

Council's Management Plan incorporates capital work projects aimed at providing and improving public open space and extending Council's city pedestrian and

cycleway connections. In this respect, the provision of land for this purpose, as per the terms of the draft Planning Agreement, conforms to that intent.

Whether the agreement, amendment or revocation specifies that certain requirements of the agreement must be complied with before a construction certificate, occupation certificate or subdivision certificate is issued

The Planning Agreement requires that the Developer's Works be completed by the Developer prior to the issuing of an occupation certificate in respect to the development at 21 Hassall Street, Parramatta.