

EXPLANATORY NOTE
Draft Voluntary Planning Agreement for
109 – 113 George Street, Parramatta

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

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 Merfad Capital Pty Ltd (the “Developer”) and Parramatta City Council (the “Council”).

3. Description of Subject Land

The Planning Agreement applies to land identified as 109 – 113 George Street, Parramatta known as Lot 100 DP 1180557.

4. Description of Proposed Development Application

The draft VPA is associated with an approved Development Application (DA/225/2014) for a 1 storey addition to a previously approved 19 storey mixed use development of which construction has already commenced. The Development Application will provide an additional 13 dwellings and result in a 20 storey building, which comprises retail/commercial space at ground level and a total of 277 residential apartments over basement car parking.

The development exceeds the permitted maximum building height and floor space ratio by 5% (taking into account the 10% variation permitted under clause 22B of the Parramatta LEP 2007).

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

The objective of the Planning Agreement is to dedicate a two (2) bedroom unit to Council for affordable housing purposes. This will contribute to the affordable housing stock in the Parramatta City Centre, and provide accommodation for local key workers employed in adjacent areas such as the Westmead Medical Precinct.

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

- Dedicate Unit 197 and Car Space 197 within the mixed use development at 109-113 George Street, Parramatta. The unit contains two (2) bedrooms, two (2) bathrooms, laundry, and lounge/living room area with a total internal area of 91.52m².
- Provision of a washing machine, dishwasher, and dryer in addition to the internal finishes.

This is in addition to the Section 94A contributions applicable to the proposed development.

6. 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 Act, the Planning Agreement has the following public purposes:

- (b) The provision of (or the recoupment of the cost of providing) 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 Act, the Planning Agreement promotes the Objects of the Act and achieves the Objectives stated at Section 5(a)(i) to 5(a)(viii) specifically 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

The charter for all councils is provided in Section 8 of the Local Government Act 1993 and provides objectives for Council to adhere to throughout its decision making and operation. The Planning Agreement through the provision of affordable housing promotes the charter by:

- providing adequate, equitable and appropriate services and facilities for the community.

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

The Planning Agreement is consistent 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.

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 agreement be registered on the title prior to the issue of the Construction Certificate for the development. It also requires the strata lot be transferred to Council prior to the issuing of any Occupation Certificate for the development.