

EXPLANATORY NOTE
Draft Voluntary Planning Agreement for
11 Hassall 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 Saab Parramatta Pty Ltd and Sonenco Parramatta (the “Developer”) and Parramatta City Council (the “Council”).

3. Description of Subject Land

The Planning Agreement applies to land identified as 11 Hassall Street, Parramatta known as Lot 1 DP 951181.

4. Description of Planning Proposal

The planning proposal seeks to increase the Maximum Building Height from 72m to 130m (approximately 41 storeys) and the Maximum Floor Space Ratio from 6.56:1 to 10.2:1 at 11 Hassall Street, Parramatta. This figure is exclusive of the additional 10% that could be achieved under Clause 22(B) of the PCC LEP 2007 through a Design Excellence Competition process.

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

The first objective of the Planning Agreement is to provide a monetary contribution to be used for the implementation of the Robin Thomas Reserve Masterplan. The recommended actions within the masterplan are to be implemented progressively over time and funded on a staged basis through Council’s annual capital works programs. The monetary contribution would assist in the faster delivery of the works required under the masterplan which is beneficial to the community and in public interest.

The second 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:

- Provide a monetary contribution of \$200,000 to Council to be used for the implementation of the Robin Thomas Reserve.
- Dedicate Unit 204 a two (2) bedroom unit and car space within the proposed development for affordable housing purposes. This includes the fit out of the unit with a washing machine, dishwasher, and dryer in addition to the standard internal finishes.

This is in addition to the Section 94A contributions applicable to any future development application lodged for the subject site.

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:

- (a) The provision of (or the recoupment of the cost of providing) public amenities or public services, being public recreation and open space areas.
- (b) The provision of (or the recoupment of the cost of providing) affordable housing.

The developers' 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 ways:

- The development together with the Planning Agreement will represent an orderly and economic use and development of land
- The contributions under the Planning Agreement will provide community facilities through public works
- The contributions under the Planning Agreement include the provision and maintenance of affordable housing.

How the draft planning agreement promotes the public interest

The Planning Agreement is in public interest as it will assist in the faster delivery of the capital works recommended within the Robin Thomas Reserve Masterplan. The masterplan proposes to upgrade the facilities within the reserve. This will better service the recreational needs of the current and future community. The implementation of the masterplan and general improvement of this public open space is timely due to the anticipated population increase within Parramatta.

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 a monetary contribution 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 will be providing a monetary contribution to accelerate the recommended actions and capital works within the Robin Thomas Reserve Masterplan. Upon receiving the monetary contribution, the works will be carried out by Council on Council land.

The Planning Agreement is consistent with Council's Affordable Housing Policy. As works for the purposes of the unit are not directly proposed on land owned or managed by Council, this component of the Planning Agreement has 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

This Planning Agreement is in relation to a planning proposal not an active development application. However, as the agreement involves the dedication and transfer of a unit in a future development application, it poses requirements that need to be complied with as part of any future development consent.

For the purposes of the affordable housing unit, the Planning Agreement requires that the agreement be registered on the title and security in the form of a bank guarantee be provided to Council prior to the issue of the Construction Certificate for the future development. The Planning Agreement also requires the strata lot to be completed and security in the form of transfer documents to be provided to Council prior to the issuing of any Occupation Certificate for the development. The strata lot must be transferred to Council within 20 business days of an Occupation Certificate being issued for the development.