

EXPLANATORY NOTE
Draft Voluntary Planning Agreement for
125-129 Arthur 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 S&A Property Holdings Pty Ltd (the “**Developer**”) and Parramatta City Council (the “**Council**”).

3. Description of Subject Land

The Planning Agreement applies to land identified as 125-129 Arthur Street, Parramatta known as Lot 5, 6, 7 DP 27997 (“**Subject Land**”).

4. Description of Development Application

The approved development application for the site is for the construction of a part 6 and part 7 storey residential flat building comprising of 64 dwellings and a basement car park. This will be achieved through a proposed variation to Clause 4.3 (Height) of the Parramatta Local Environmental Plan 2011 under Clause 4.6 (Exceptions to development standards).

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

The objective of the Planning Agreement is to provide a monetary contribution to be put towards the Alfred Street to Morton Street pedestrian bridge project.

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

- Pay a \$100,000 contribution to Council’s project

This is in addition to the Section 94A contributions under the Parramatta Section 94A Development Contribution Plan (Amendment No 4) dated 20 May 2015 which are applicable to the development application for the Subject Land. The Parties agree that this Section 94A Plan will continue to apply to the Development despite any subsequent amendments to, or replacement of, the Section 94A Plan before or after this Agreement is made.

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:

- (c) the provision of (or the recoupment of the cost of providing) transport or other infrastructure relating to land

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

How the draft planning agreement promotes the public interest

The Planning Agreement is in the public interest as it will assist in the delivery of the Alfred Street to Morton Street pedestrian bridge.

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

In accordance with Part 1 Section 5 of the Act, the Planning Agreement promotes the Objects of the Act and achieves the Objectives stated at Section 5(a) (iii) specifically in the following ways:

- The Planning Agreement will represent a social benefit to the community, contributing to public works to erect a public pedestrian thoroughfare.

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.
- to engage in long-term strategic planning on behalf of the local community

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

The Planning Agreement will contribute to the delivery of the Alfred Street to Morton Street pedestrian bridge which is in keeping with the Parramatta Section 94A Development Contributions Plan (Amendment No. 4):

- Corporate Plan Principal Activity C1.5. Upgrade/new pedestrian connections throughout the LGA to improve walkability and create a network of high quality interconnected public spaces.
- Corporate Plan Principal Activity C1.1. Upgrade/new shared pedestrian and cycleway connections to link communities including possible new shared bridge over Parramatta River.

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 monetary contribution shall be delivered prior to the commencement of construction.