

**EXPLANATORY NOTE**  
**Draft Voluntary Planning Agreement for**  
**5-7 Parkes 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 Parkmeng Pty Ltd (the “Developer”) and Parramatta City Council (the “**Council**”).

## **3. Description of Subject Land**

The Planning Agreement applies to land identified as 5-7 Parkes Street, Parramatta known as Lot 511 DP 866023 (“**Subject Land**”).

## **4. Description of Planning Proposal**

The land is subject to a draft Planning Proposal which seeks to increase the Maximum Building Height from 18m to 72m and the Maximum Floor Space Ratio from 4:1 to 6.5:1 at 5-7 Parkes Street, Parramatta. This figure is exclusive of any additional bonus to be granted 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 land dedication along the eastern boundary of the site to add to Jubilee Park. The Developer shall also undertake works in kind to embellish this dedicated land to enhance the appearance and quality of Jubilee Park. It is considered that the embellishment works to Jubilee Park will:

- Create a useable interface with the existing park.
- Add public seating opportunities to the park edge.
- Create an active edge to the park and improve passive surveillance.
- Make use of an under-utilised area.
- Feature high quality materials.

A concept plan has been prepared (refer to the Planning Agreement) which provides the scope of these works. The works in kind to be undertaken by the Developer are considered to be in the public interest as the works will be completed with the construction program and final delivery of the apartment complex development on adjacent land by the Developer as well as resulting in public cost benefits from

economies of scale. The park dedication in itself is a significant public benefit in that the land will be vested in the Council for public use in perpetuity.

The second objective of the Planning Agreement is to dedicate for affordable housing purposes, a two (2) bedroom unit to Council from the proposed apartment complex development to be undertaken by the Developer. This will contribute to the affordable housing stock in the Parramatta City Centre, and provide accommodation for local key workers employed in the Parramatta CBD.

The third objective of the Planning Agreement is to dedicate an area of land on the frontage of the Subject Land to Council for roadworks to improve pedestrian safety and to assist in the implementation of the City Ring Road.

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

- Provide a land dedication to Jubilee Park.
- Carry out works in kind to embellish the park dedication estimated to the value of \$150,000, subject to the design competition outcomes.
- Provide a land dedication for road widening.
- Dedicate a two (2) bedroom unit and car space for affordable housing. 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 under any relevant contributions plan that may be applicable to any future development application lodged for the Subject Land.

## **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 and provision for road improvements.
- (b) The provision of (or the recoupment of the cost of providing) affordable housing.

The Developer's 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 the public interest as it will assist in the delivery of improvements to Jubilee Park, the provision of affordable housing and road improvements to cater for the current and future needs of the community.

***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 (NSW) and provides objectives for Council to adhere to throughout its decision making and operation. The Planning Agreement through the provision of a monetary contribution and works in kind 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 land dedication and works to Jubilee Park that will contribute to the recommended actions and works within the Parramatta Development Control Plan 2011 and Civic Improvement Plan. The works will be undertaken by the Developer.

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 and works that will require approval in a future development application, it poses requirements that need to be complied with as part of any future development consent.

The works to Jubilee Park shall be completed prior to the issue of the Final Occupation Certificate. The transfer of the land dedications and affordable housing unit shall be completed prior to the Final Occupation Certificate being issued.