

EXPLANATORY NOTE
Draft Voluntary Planning Agreement for
11-13 Aird 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 Dayaf Investments Pty Ltd (the “Developer”) and the City of Parramatta Council (the “Council”).

3. Description of Subject Land

The Planning Agreement applies to land identified as 11-13 Aird Street, Parramatta known as Lot 101 DP 709151.

4. Description of Planning Proposal

The planning proposal seeks to increase the Maximum Building Height from 36m to 102m (approximately 34 storeys) and the Maximum Floor Space Ratio from 4.2:1 to 10:1 at 11-13 Aird Street, Parramatta. This figure is exclusive of the additional FSR and height that could be achieved under Clause 7.10 of the PLEP 2011 through a Design Excellence Competition process.

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 used for public works. The monetary contribution will contribute to the maintenance, upgrade and development of infrastructure in the local area to support an increased population.

Under the terms of the planning agreement, the Developer will be required to:

- Provide a monetary contribution of \$709,050.00 to Council to be used for public works.

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 local infrastructure.

The developers' obligations outlined in the Planning Agreement provide a suitable means for achieving this purpose.

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 contributions under the Planning Agreement will provide community facilities through public works.

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 infrastructure upgrades in the area. These funds will contribute towards meeting the present and future needs of the local 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 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 assist with local infrastructure development. Upon receiving the monetary contribution, necessary works will be carried out by Council on Council land.

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.