

EXPLANATORY NOTE

Draft Voluntary Planning Agreement for

Land on the corner of Parramatta Road, Good Street and Cowper Street, Granville (The Barn).

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*.

This Explanatory Note is not to be used to assist in construing the Planning Agreement.

2. Parties

The parties to the Planning Agreement are Airbosi Pty Ltd (the “Developer”), Sitana Pty Ltd and Brodieville Pty Ltd (the “Land Owner”) and City of Parramatta Council (the “Council”).

3. Description of Subject Land

The Planning Agreement applies to the land identified as the “Land on the corner of Parramatta Road, Good Street and Cowper Street, Granville (The Barn)” and known as:

- Lot 1 DP783581 (61 Cowper Street, Granville)
- Lot 12 DP575064 (142 Parramatta Road, Granville)
- Lot 1 DP1075357 (138 Parramatta Road, Granville)
- Lot 2 DP1075357 (138 Parramatta Road, Granville)
- Lot 3 DP1075357 (138 Parramatta Road, Granville)
- Lot 4 DP1075357 (138 Parramatta Road, Granville)
- Lot 5 DP1075357 (138 Parramatta Road, Granville)
- Lot 6 DP1075357 (138 Parramatta Road, Granville)
- Lot 1 DP604204 (26 Good Street, Granville)
- Lot 7 Sec A DP979437 (38 Good Street, Granville)
- Lot 1 DP721626 (134 Parramatta Road, Granville)
- Lot 1 DP76041 (32 Good Street, Granville)
- Lot 1 DP998948 (59 Cowper Street, Granville)
- Lot 1 Sec A DP979437 (38 Good Street, Granville)
- Lot 2 Sec A DP979437 (38 Good Street, Granville).

4. Description of Planning Proposal

The Planning Proposal seeks to:

- rezone the land from part B2 Local Centre and part B6 Enterprise Corridor to B4 Mixed Use;
- increase the maximum Height of Building control from 15m and 21m to 82m (approximately 25 storeys) for the majority of the land and to 17m (approximately 4 storeys) for the part of the land fronting Good Street;
- increase the Floor Space Ratio control applying to the Land from part 2:1, part 3:1 and part 3.5:1 to 6:1 across the whole of the site;
- introduce a Design Excellence clause to require the site to undertake a design excellence competition; and
- introduce a site specific clause limiting non-residential floor space to a maximum of 4,000sqm.

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

The first objective of the Planning Agreement is to contribute to the infrastructure demands and other needs of the growing community through the provision a monetary contribution (comprised of two components) which is to be used for works identified by the Parramatta Road Corridor Urban Transformation Strategy.

The second objective of the Planning Agreement is to assist with the management of traffic through the Granville Precinct through the dedication of land along Parramatta Road and Good Street to Council which will be reserved for road widening should this be required in the future to accommodate for growth within the Granville Precinct. The final use of the land will be subject to the outcome of the Precinct Wide Traffic Study within Granville. Should the land not be required for road widening, then it will form part of the public domain for the community to use.

The third objective of the Planning Agreement is to improve accessibility within and around the subject land through the construction and dedication of part of a vehicular laneway connecting Bold Street and Cowper Street; and through the delivery of a pedestrian laneway linking Parramatta Road and Cowper Street, which will be available for public access indefinitely through the provision of an easement.

The fourth objective of the planning agreement is to contribute to the affordable housing stock in the Granville Precinct, to provide accommodation for local key workers, through the dedication of three (3) x two (2) bedroom units within the future development on the subject land.

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

- Provide a monetary contribution of \$400,000 to Council to be used for the improvement of general amenities within the Granville area

- Provide an additional monetary contribution of \$5,000 for every residential unit approved to be developed on the land in excess of 350 residential units.
- Dedicate the land within a 6 metre setback to Parramatta Road.
- Dedicate the land within a 2.8 metre setback to Good Street.
- Construct a vehicular laneway linking Bold and Cowper Streets to complete the existing (incomplete) laneway and dedicate this land to Council.
- Provide a pedestrian laneway linking Parramatta Road and Cowper Street through the provision of an easement.
- Construct and dedicate three (3) x two (2) bedroom units within the future development for affordable housing purposes. This includes the fitout of the unit with a washing machine, dishwasher and dryer in addition to the standard internal finishes.

This is in addition to the standard development 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 affordable housing for the community;
- b) the provision of land to deliver road infrastructure;
- c) the provision of pedestrian accessibility and amenity; and
- d) the provision of (or recoupment of the costs of providing) works that meet the infrastructure demands and other needs of the community

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 Environment Planning and Assessment Act 1979

In accordance with Part 1 Section 5 of the EP&A Act, the Planning Agreement promotes the Objects of the EP&A Act and specifically achieves the objectives stated in Section 5 because it:

- represents an orderly and economic use and development of the Land (s5(a)(ii));
- provides land for public purposes and provides community facilities, through the payment of the contribution towards infrastructure works to meet community needs; the dedication of land for road infrastructure; and land for community access (s5(a)(iv)&(v));
- provides for affordable housing, through the contribution of units within the development (s5(a)(viii)).

How the draft planning agreement promotes the public interest

The Planning Agreement is in the public interest as it will assist in the improvement of general amenities in the Granville area. This will better service the needs of the current and future community. It will result in the delivery of a number of public benefits including improving accessibility throughout the area via the provision of a vehicular and pedestrian laneway; the provision of affordable housing contributing towards meeting the present and future needs of the local community includes key workers and low income households; and through land dedication for road widening or pedestrian improvements (subject to the outcome of the Granville Precinct Wide Traffic Study)

The proposed contributions under the Planning Agreement are consistent with the Council's strategic plans and policy documents.

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, land dedication, and capital works 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 Granville area identified under the Parramatta Road Corridor Urban Transformation Strategy. Upon receiving the monetary contribution, the works will be carried out by Council. The Strategy involved an infrastructure audit and identified works required to accommodate for the anticipated growth within the Granville Precinct. The Planning Agreement will contribute to the delivery of these works.

The Planning Agreement provides for a vehicular laneway to complete a link identified within the Parramatta Development Control Plan 2011. Whilst the exact location slightly varies from the specific location within the Plan it is considered a more appropriate outcome and will provide access for the public through the block.

The Planning Agreement is consistent with Council's Affordable Housing Policy. As works for the purposes of the units 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 of land, transfer of units, land and an easement over a pedestrian laneway it poses requirements that need to be complied with as part of any future development consent.

For the purpose of the monetary contribution, the Planning Agreement requires this to be paid prior to occupation certificate and requires the provision of bank guarantees to secure this payment.

For the purpose of the pedestrian access way, the Planning Agreement requires an easement to be registered prior to the issue of an occupation certificate.

For the purposes of the three (3) affordable housing units, the Planning Agreement requires the strata lots to be completed and transferred to Council within 15 days of the registration of the strata plan, or issue of first occupation certificate, whichever is the later.

The Planning Agreement requires that the agreement be registered on the title.