

Explanatory Note

Exhibition of draft Voluntary Planning Agreement

Lot 4 in DP310151, known as 55 Aird Street Parramatta

Environmental Planning and Assessment Regulation 2000 (clause 25E)

Planning Agreement

The purpose of this Explanatory Note is to provide a plain English summary to support the notification of a draft voluntary Planning Agreement (**the Planning Agreement**) under Section 7.4 of the *Environmental Planning and Assessment Act 1979 (the Act)*.

The Planning Agreement will require the provision of a monetary contribution towards the provision of community infrastructure, should the site be developed for residential purposes in connection with a proposed change to provisions of the *Parramatta Local Environmental Plan 2011 (LEP)* at Lot 4 in DP 310151 also known as 55 Aird Street, Parramatta.

This Explanatory Note has been prepared jointly between 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.

Parties

55Aird Pty Ltd (ACN 633 800 969) (**the Developer**) has made an offer to City of Parramatta Council (ABN 49 907 174 773) (**the Council**) to enter into a Voluntary Planning Agreement, in connection with a Planning Proposal relating to the subject land.

The Parties to the Planning Agreement are the Council as the relevant planning authority. 55Aird Pty Ltd as the Developer and landowner.

Description of subject land

The land to which the Planning Agreement applies is described as Lot 4 in DP 310151, known as 55 Aird Street, Parramatta (**the Land**).

Description of the Planning Proposal to which the Planning Agreement applies

Planning Proposal (RZ/18/2015) for land the land seeks amendments to the LEP. The specific provisions of the Planning Proposal seek to:

- amend the maximum building height from 36 metres to 80 metres; and
- amend the maximum Floor Space Ratio (**FSR**) from 4.2:1 to 6:1 (or 6.9:1 with design excellence).

Summary of Objectives, Nature and Effect of the Planning Agreement

Monetary Contribution

The Planning Agreement requires a monetary contribution in the amount of \$150 per square metre of residential floor space.

Assessment of the Merits of the Planning Agreement

How the Planning Agreement promotes the objects of the Act and the public interest

The Planning Agreement promotes the following objective of the *Environmental Planning and Assessment Act 1979*:

- (c) to promote the orderly and economic use and development of land,

The Planning Agreement promotes the public interest as it will require the Developer to:

- pay a monetary contribution to Council to be used towards community infrastructure within Parramatta Central Business District (CBD);

The Planning Purposes served by the Planning Agreement

The monetary contribution will be used towards community infrastructure within Parramatta CBD.

How the Planning Agreement promotes the objectives of the *Local Government Act 1993* and the elements of the Council's Charter

The Planning Agreement is consistent with the following purposes of the *Local Government Act 1993*:

- to give councils the ability to provide goods, services and facilities, and to carry out activities, appropriate to the current and future needs of local communities and the wider public;
- to give councils a role in the management, improvement and development of the resources of their areas; and
- Councils should work with others to secure appropriate services for local community needs.

The Planning Agreement promotes the following element of the Council's Charter:

- to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively

This element of the Council's Charter is promoted through the provision of community infrastructure in Parramatta CBD.

Whether the Planning Agreement conforms with the Council's capital works program

Council's Management Plan incorporates capital work projects aimed at providing and improving public open space and extending Council's city pedestrian and cycleway connections. In this respect, the provision of the contributions to improve public domain areas conforms to that intent.

Whether the Planning Agreement specifies that certain requirements must be complied with before a construction certificate, occupation certificate or subdivision certificate is issued

The Planning Agreement requires the following to be satisfied prior to the issue of a construction certificate:

- The payment of 75% of the total monetary contribution; and

The Planning Agreement requires the following to be satisfied prior to the issue of an occupation certificate:

- The payment of 25% of the total monetary contribution. .