

## **Explanatory Note**

### **Exhibition of draft Voluntary Planning Agreement**

### **Strata Plan 20716, known as 2 O'Connell Street, Parramatta NSW 2150 or 5 Aird Street, Parramatta NSW 2150**

*Environmental Planning & 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 93F of the Environmental Planning and Assessment Act 1979 (**the Act**).

The Planning Agreement will require the provision of monetary contributions in connection with a proposed change to provisions of the Parramatta Local Environmental Plan 2011 (**LEP**).

This Explanatory Note has been prepared jointly between the parties as required by clause 25E of the Environmental Planning and Assessment Regulation 2000 (**the Regulations**). This Explanatory Note is not to be used to assist in construing the Planning Agreement.

#### **Parties**

The Owners – Strata Plan No. 20716 (**the Owners Corporation**) made an offer to City of Parramatta Council (**the Council**) to enter into a voluntary Planning Agreement, in connection with a Planning Proposal relating to the subject land.

#### **Description of subject land**

The land to which the Planning Agreement applies is described as Strata Plan 20716, known as 2 O'Connell Street, Parramatta NSW 2150 or 5 Aird Street, Parramatta NSW 2150 (**the Land**).

### **Description of the Planning Proposal to which the Planning Agreement applies**

The Planning Proposal (PP\_2017\_COPAR\_013\_00) amends the LEP to modify the maximum building height and floor space ratio controls that apply to land at 2 O'Connell Street, Parramatta.

### **Summary of Objectives, Nature and Effect of the Planning Agreement**

#### **Monetary Contribution**

The Planning Agreement requires a monetary contribution in the amount of \$6,549,585.

### **Assessment of the Merits of the Planning Agreement**

#### **How the Planning Agreement Promotes the Objects of the Act and the public interest**

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

- to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources;
- to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment; and
- to promote the orderly and economic use and development of land.

The draft Planning Agreement promotes the public interest by providing finances that will enable the City of Parramatta to provide services and facilities for existing and future residents and visitors of the city.

### **The Planning Purposes served by the Planning Agreement**

The monetary contribution will be used to fund services and facilities that will enable the City of Parramatta to support existing and future residents and visitors of the city.

### **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; and
- to give councils a role in the management, improvement and development of the resources of their areas.

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 funding for services and facilities that will enable the City of Parramatta to support existing and future residents and visitors of the city.

### **Whether the Planning Agreement Conforms with the Council's Capital Works Program**

It is anticipated that the funds will be allocated towards **projects** identified in the capital works program.

### **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: 75% of the monetary contribution to be paid to Council, so that a total of 75% of the monetary contribution has been paid to Council .

The Planning Agreement requires the following to be satisfied prior to the issue of an occupation certificate: 25% of the monetary contribution to be paid to Council, so that a total of 100% of the monetary contribution has been paid to Council.