

EXPLANATORY NOTE

DRAFT PLANNING AGREEMENT FOR 171 PARRAMATTA ROAD, GRANVILLE

Environmental Planning and Assessment Regulation 2021
(section 205)

1. Introduction

The purpose of this Explanatory Note is to provide a plain English summary to support the exhibition of a proposed draft planning agreement (the **Planning Agreement**) prepared under section 7.4(1) of the *Environmental Planning and Assessment Act 1979* (the **Act**).

2. Parties

The parties to the Planning Agreement are:

- a. City of Parramatta Council ABN 49 907 174 773 (the **Council**),
- b. PFG Property Investments No.1 Pty Ltd ACN 646 014 986 and TFG Property Investments No.1 Pty Ltd ACN 646 014 664 (**Landowner No.1**), and
- c. PFG Property Investments No.2 Pty Ltd ACN 646 014 708, and TFG Property Investments No.2 Pty Ltd ACN 646 014 815 (**Landowner No.2**).

This explanatory note has been prepared jointly by the parties.

3. Description of Subject Land

The Planning Agreement applies to the following lots:

Land No.1 means

Lot and DP No.:	Address:	Owner:
Lot 1 DP 89526	173 Parramatta Road, Granville	PFG Property Investments No.1 Pty Ltd and TFG Property Investments No.1 Pty Ltd
Lot 1 DP 81084	171 Parramatta Road, Granville	PFG Property Investments No.1 Pty Ltd and TFG Property Investments No.1 Pty Ltd

Land No.2 means:

Lot and DP No.:	Address:	Owner:
Lot 1 DP 615141	187 Parramatta Road, Granville	PFG Property Investments No.2 Pty Ltd and TFG Property Investments No.2 Pty Ltd
Lot 1 DP 504298	181-185 Parramatta Road, Granville	PFG Property Investments No.2 Pty Ltd and TFG

		Property Investments No.2 Pty Ltd
Lot 2 DP 89526	181-185 Parramatta Road, Granville	PFG Property Investments No.2 Pty Ltd and TFG Property Investments No.2 Pty Ltd
Lot 1 DP 79102	181-185 Parramatta Road, Granville	PFG Property Investments No.2 Pty Ltd and TFG Property Investments No.2 Pty Ltd
Lot 1 DP 79624	181-185 Parramatta Road, Granville	PFG Property Investments No.2 Pty Ltd and TFG Property Investments No 2 Pty Ltd
Lot X DP 163366	64 Victoria Street, Granville	PFG Property Investments No.2 Pty Ltd and TFG Property Investments No 2 Pty Ltd
Lot A DP 160406	60 Victoria Street, Granville	PFG Property Investments No.2 Pty Ltd and TFG Property Investments No 2 Pty Ltd
Lot 58 DP 869379	58 Victoria Street, Granville	PFG Property Investments No.2 Pty Ltd and TFG Property Investments No 2 Pty Ltd

and includes any lot created by the consolidation or subdivision of those lots from time to time (the **Land**).

Landowner No.1 is the owner of Land No.1 and Landowner No.2 is the owner of Land No.2.

4. Description of the Proposed Development

Landowner No.1 and Landowner No.2 propose to redevelop Land No.1 and Land No.2 in the future for mixed use development with associated car parking with a maximum FSR of 4.5:1.

In order to facilitate future development (subject to future Development Applications), the Council is required to endorse a site-specific Development Control Plan, forming part of the Parramatta Development Control Plan 2024 (the **DCP**), a copy which can be found at **Annexure D** of the draft Planning Agreement.

The draft Planning Agreement does not permit any development to be carried out and Landowner No.1 and Landowner No.2 will be required to seek and obtain the necessary development consent/s under the Act to do so.

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

Landowner No.1 and Landowner No.2 have offered to enter into a Planning Agreement with the Council.

The objective of the draft Planning Agreement is to provide a monetary contribution for the provision of Affordable Housing and to construct a pedestrian through-site link for pedestrian access from Parramatta Road to Victoria Street.

The draft Planning Agreement provides that, following the coming into effect of the DCP and the issue of development consent(s):

- a) Landowner No.1 will make a monetary contribution in the amount of \$1,500,000.00 for the provision of Affordable Housing (the **Monetary Contribution**);
- b) Landowner No.2 will Construct a minimum 6-metre-wide (comprising a 4m wide pathway and 2m wide landscape edge), 24/7 publicly accessible, pedestrian through-site link consistent with the Parramatta Development Control Plan 2024 to provide future pedestrian access from Parramatta Road to Victoria Street (the **Pedestrian Through-Site Link**) over Land No.2; and
- c) Landowner No.2 will register a public access easement at no cost to Council, over that part of Land No.2 on which the Pedestrian Through-Site Link will be located, in favour of Council (the **Easement**).

The Monetary Contribution will be paid in one instalment prior to the issue of any Construction Certificate for above ground works under a future development consent for development on Land No.1. The Monetary Contribution is in addition to any development contributions that may be applicable under sections 7.11, 7.12 and 7.24 of the Act, with the exception that Council will not levy any contribution under section 7.11, or any other policy or legislation, for the purpose of Affordable Housing in relation to the Land.

The Pedestrian Through-Site Link will be practically completed prior to the issue of any Occupation Certificate for future development on Land No.2.

The Easement is to be registered prior to the issue of any Occupation Certificate for future development on Land No.2.

Landowner No.1 and Landowner No.2 are each required to register the Planning Agreement on the title of the Land No.1 and Land No.2 respectively, in accordance with section 7.6(1) of the Act, no later than 10 business days after the Planning Agreement has been executed.

6. Assessment of Merits of Planning Agreement

The Planning Purpose of the Planning Agreement

The Planning Agreement will benefit the public by providing Affordable Housing and pedestrian access between Parramatta Road and Victoria Street.

How the Planning Agreement Promotes the Public Interest

The Planning Agreement promotes the public interest by committing Landowner No.1 to providing a monetary contribution and committing Landowner No.2 to the construction of

pedestrian access and the registration an Easement for the purposes of providing the public pedestrian access.

How the Planning Agreement Promotes the Objects of the Act

The Planning Agreement promotes the following objects of the Act:

- a) *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,*
- b) *to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- c) *to promote the orderly and economic use and development of land.*

In addition to the above, the Planning Agreement will not be inconsistent with any of the other objects of the Act.

How the Planning Agreement Promotes Elements of the Local Government Act 1993 and the Guiding Principles for Councils

The Planning Agreement promotes the guiding principles for councils under section 8A of the *Local Government Act 1993* by assisting Council to:

- a) Carry out functions in a way that provides the best possible value for residents and ratepayers;
- b) Manage lands and other assets so that current and future local community needs can be met in an affordable way;
- c) Work with others to secure appropriate services for local community needs;
- d) Recognise diverse local community needs and interests;
- e) Consider the long term and cumulative effects of actions on future generations;
- f) Apply the principles of ecologically sustainable development;
- g) Invest in responsible and sustainable infrastructure for the benefit of the local community; and
- h) Identify and prioritise key local community needs and aspirations and consider regional priorities.

How the Planning Agreement Promotes Council's Capital Works Program

Works forming part of the public purpose to which the Contribution may be applied are generally in addition to the Council's capital works program, although may conform with aspects of works identified as a priority by Council's Development Contribution Plans and other strategic plans.

Requirements relating to Construction and Occupation Certificates

The Planning Agreement requires that:

- a) The Monetary Contribution be made prior to the issue of any Construction Certificate granted under a future development consent for future development on Land No.1;
- b) The Pedestrian Through-Site Link is to be practically completed prior to the issue of any Occupation Certificate granted under a future development consent for future development on Land No.2; and
- c) The Easement is to be registered prior to the issue of any Occupation Certificate granted under a future development consent for future development on Land No.2.