

# Draft Planning Agreement

## Minister for Planning, Goodman Property Services (Aust) Pty Limited and BGAI 6 Pty Limited

### Explanatory Note

#### 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* (the "**Regulation**").

#### Parties to the Planning Agreement

The parties to the Planning Agreement are Goodman Property Services (Aust) Pty Limited and BGAI 6 Pty Limited (collectively the "**Developer**"), and the Minister for Planning.

The Developer has made an offer to enter into the Planning Agreement in connection with project approval MP 08\_0066 for the DHL Logistics Hub at 'Oakdale Central'.

#### Description of the Subject Land

The Planning Agreement applies to those parts of the land comprised in Lot 2 DP 120673 which is located at Old Wallgrove Road, Horsley Park (the "**Land**").

#### Description of the Development

Goodman Limited sought approval under Part 3A of the Act for the establishment of a DHL Logistics Hub and associated infrastructure, including the subdivision of the Land and the erection of buildings on two of the subdivided lots, being Lot 1A and Lot 2A ("the **Development**").

The Minister granted approval under section 75J of the Act to the Development on 2 January 2009 (Project Approval 08\_0066). This Project Approval was subsequently modified on 4 November 2010. A copy of the Project Approval and modification can be found at [http://majorprojects.planning.nsw.gov.au/page/project-sectors/manufacturing--distribution---storage/distribution---storage/?action=view\\_job&job\\_id=4023](http://majorprojects.planning.nsw.gov.au/page/project-sectors/manufacturing--distribution---storage/distribution---storage/?action=view_job&job_id=4023)

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

The Planning Agreement provides that the Developer will make contributions for the development on Lot 1A and Lot 2A, comprising the following:

- a contribution of \$745,200 for Lot 1A towards regional transport infrastructure and services;
- a contribution of \$1,344,600 for Lot 2A towards regional transport infrastructure and services.

The Planning Agreement contains a schedule (being Schedule 4) setting out the timing for delivery of the Developer's Contributions.

The objective of the Planning Agreement is to facilitate the delivery of the Developer's Contributions for regional transport infrastructure and services.

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

### **The Planning Purpose of the Planning Agreement**

In accordance with section 93F(2) of the Act, the Planning Agreement has the following public purpose:

- the provision of (or the recoupment of the cost of providing) transport or other infrastructure relating to land.

The Minister for Planning and the Developer have assessed the Planning Agreement and hold the view that the provisions of the Planning Agreement provide a reasonable means of achieving the public purpose set out above. This is because it will ensure that contributions for regional transport infrastructure are paid in connection with the development of the land.

### **How the Planning Agreement Promotes the Public Interest**

The Planning Agreement promotes the public interest by:

- securing funding towards the costs of regional transport infrastructure and services.

### **How the Planning Agreement Promotes the Objects of the Act**

The Planning Agreement promotes the following objects of the Act:

- the promotion and co-ordination of the orderly and economic use and development of land.

The Planning Agreement promotes the objects of the Act set out above by requiring the Developer to provide monetary contributions for regional transport infrastructure and services.

This purpose represents an important public benefit, and the Developer's offer to contribute towards this purpose will have a positive public impact as funding will be secured to assist in the development of the regional transport infrastructure network.

### **Interpretation of Planning Agreement**

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