

Proposed Planning Agreement

Minister for Planning and Infrastructure and Googong Development Corporation Pty Ltd

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*.

Parties to the Planning Agreement

The parties to the Planning Agreement are Googong Development Corporation Pty Ltd (the "**Developer**") and the Minister for Planning and Infrastructure ("**Minister**").

The Developer has made an offer to enter into the Planning Agreement in connection with a development application for subdivision within the Googong Urban Release Area. The Googong Urban Release Area is the area of land shown as "Included" on the *Queanbeyan Local Environmental Plan (Googong) 2009 – Land Application Map* (copy attached) and is located to the south of Queanbeyan on Googong Road.

Description of the Subject Land

The Planning Agreement applies to:

- those parts of the Googong Urban Release Area that the Developer currently owns, which are shown grey on the map in Appendix 1 to the VPA; and
- any other land the Developer acquires within the Googong Urban Release Area, from the date of its acquisition by the Developer.

Description of the Proposed Development and the Proposed Googong Urban Release Area

The Developer has lodged a development application (being DA41-2011) for a 337 lot subdivision under community title with Queanbeyan City Council ("**Proposed Development**"). The Proposed Development is the first stage of development which the Developer intends to undertake within the Googong Urban Release Area.

The Googong Urban Release Area is a new masterplanned township near Queanbeyan to be built on 780 hectares of former grazing land. It is anticipated that the development will take approximately 20 to 25 years to create and include approximately 5,550 homes of varying types and sizes to house about 16,000 people.

Summary of Objectives, Nature and Effect of the Planning Agreement

The Planning Agreement provides that the Developer will make monetary contributions of 75% of \$4,296.71 per Developable Hectare (subject to indexation) towards the costs of acquisition of land for the purposes of:

- a fire station (being a 2,000 square metre site);
- 2 primary schools (one site being 2.81 hectares and the other 3 hectares in size); and
- a high school (being a 6 hectare site).

Alternatively, the Developer may elect to dedicate all 12.01 hectares of land for the sites.

In the event that the Developer elects to dedicate the land, the Developer will be providing contributions that meet the demand, or part of the demand, for State infrastructure created by development in the Googong Urban Release Area which is to be carried out by other developers. The Minister will give consideration to the measures available under the Act to collect contributions towards the State infrastructure from other developers and to use contributions so collected to offset contributions made by the Developer under the Planning Agreement.

The Planning Agreement contains provisions which set out the timing for the provision of the Developer's contributions (see clauses 7 and 9 of the Planning Agreement). In this regard, the Planning Agreement provides that:

- monetary contributions must be made in respect of each Plan of Subdivision, prior to the issue of the Subdivision Certificate; and
- where the developer elects to dedicate land, the dedication of land must occur prior to the issue of subdivision certificates for certain Plans of Subdivision or certain dates as set out in clause 9 of the Planning Agreement.

The objective of the Planning Agreement is to facilitate the delivery of the Developer's contributions to meet the demand, or part of the demand, for State infrastructure created by development in the Googong Urban Release Area.

No relevant capital works program by the Minister is associated with this agreement.

Assessment of the Merits of the 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) public amenities or public services.

The Minister and the Developer have assessed the Planning Agreement and both 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 the Developer makes appropriate contributions towards the provision of required State public infrastructure.

How the Planning Agreement Promotes the Public Interest

The Planning Agreement promotes the public interest by ensuring that an appropriate contribution is made towards the provision of State infrastructure to satisfy needs that arise from development of the Googong Urban Release Area.

How the Planning Agreement Promotes the Objects of the Act

The Planning Agreement promotes the objects of the Act by encouraging:


- the promotion and co-ordination of the orderly and economic use and development of land; and
- the provision of land for public purposes.

The Planning Agreement promotes the objects of the Act set out above by requiring the Developer to make a contribution towards the provision of required State infrastructure.

The Developer's offer to contribute towards the provision of State infrastructure will have a positive public impact as funds contributed by the developer (or alternatively land, where the developer elects to dedicate land) will be available towards the provision of the State public infrastructure, the need for which is generated by the development of the Googong Urban Release Area.

Interpretation of Planning Agreement



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

 **Queanbeyan
Local Environmental
Plan (Googong) 2009**

Land Application Map - Sheet LAP_001

LEP Land Application
☐ Included
☒ LSA Boundary

Cadastral
☐ Cadastral 1/9/08 © Dept of Lands

Projection: GDA 1984
Zone 56

Scale 1:80000 @ A3

Map Identification Number:
ENVO_CD24_LAP_001_000_0000000000

