

Explanatory Note

Minister for Planning

and

David Greene Properties Pty Limited (ACN 161 227 265)

Draft Planning Agreement

Introduction

The purpose of this explanatory note is to provide a plain English summary to support the notification of the draft 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 David Greene Properties Pty Limited (ACN 161 227 265) (the **Developer**) and the Minister for Planning (the **Minister**).

Description of the Subject Land

The Planning Agreement applies to:

- Lot 57 in Deposited Plan 21549 (the **Subject Land**).

The Subject Land is located at 30 Marion Street, Thirlmere.

Description of the Proposed Development

The Developer is seeking approval for subdivision of the Subject Land into approximately 23 residential allotments in accordance with Development Application DA2015/197 which has been lodged with Wollondilly Shire Council (the **Proposed Development**) and has made an offer to the Minister to enter into the Planning Agreement in connection with the Proposed Development.

Summary of Objectives, Nature and Effect of the Planning Agreement

The Planning Agreement provides that the Developer will make a monetary contribution of \$9,264.00 per residential allotment (subject to indexation in accordance with the Planning Agreement) for the purposes of the provision of designated State public infrastructure within the meaning of clause 6.1 of the *Wollondilly Local Environment Plan 2011* (the **LEP**).

The Planning Agreement requires payment of the monetary contribution prior to the issue of the relevant subdivision certificate and therefore contains a restriction on the issue of a subdivision certificate within the meaning of section 109J(1)(c1) of the Act.