

**Explanatory Note**  
**Minister for Planning (ABN 38 755 709 681)**  
**and**

**Bradcorp Wilton Park Pty Ltd (ABN 69 086 388 212), Walker Corporation Pty Ltd (ABN 95 001 176 263), Walker Group Holdings Pty Ltd (ACN 001 215 069) and a partnership of Wilton Developments Pty Ltd (ABN 31 154 691 728) and Lac-Grew Pty Ltd (ABN 367 002 981 660) trading as Governors Hill**

**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: Bradcorp Wilton Park Pty Ltd (ABN 69 086 388 212), Walker Corporation Pty Ltd (ABN 95 001 176 263), Walker Group Holdings Pty Ltd (ACN 001 215 069) and a partnership of Wilton Developments Pty Ltd (ABN 31 154 691 728) and Lac-Grew Pty Ltd (ABN 367 002 981 660) trading as Governors Hill (collectively, referred to as the **Developer**) and the Minister for Planning.

**Description of the Subject Land**

The Planning Agreement applies to land in the Macarthur Region of Wollondilly Shire, being the land comprising:

Lot 1 DP 1215383, Lot 2 DP 1215383, Lot 1 DP 629828, Lot 4 DP 702024, Lot 5 DP 702024, Lot 32 DP 251050, Lot 23 DP 251051, Lot 13 DP 702024, Lot 2 DP 253922, Lot 10 DP 629951, Lot 5 DP 253922, Lot 4 DP 253922, Lot 51 DP 626650, Lot 16 DP 253158, Lot 1 DP 587498, Lot 2 DP 1076362, Lot 2 DP 108340, Lot 75 DP 837310, Lot 1 DP 1018965, Lot 25 DP 253157, Lot 26 DP 253157, Lot 32 DP 814280, Lot 33 DP 814280, Lot 36 DP 814280, Lot 37 DP 814280, Lot 2 Sec 13 DP 759094, Lot 29 DP 814280, Lot 34 DP 814280, Lot 38 DP 814280, Lot 30 DP 814280, Lot 1 DP 1076362.

The various parcels of land are owned by Bradcorp Wilton Park Pty Ltd, Dalbar Pty Ltd, Walker Corporation Pty Ltd or Walker Group Holdings Pty Ltd.

## **Description of the proposed change to environmental planning instrument to which the Agreement applies**

The Planning Agreement applies to a proposed change to an environmental planning instrument to enable development for urban purposes to be carried out on land near Wilton (including the Land) and the Developer has made an offer to the Minister to enter into the Planning Agreement in connection with the proposed change.

## **Summary of objectives, nature and effect of the Planning Agreement**

The Planning Agreement provides that the Developer will make a contribution in the amount of \$1,030,257.00, being planning costs involved in the “Wilton Junction Investigation Process”. The contribution is payable on the commencement of the Agreement. Wollondilly Shire Council is to be paid \$618,660.00 from that amount. This represents costs incurred to date by the Council.

The Wilton Junction Investigation Process includes the carrying out of relevant studies and investigations to determine the suitability of Wilton Junction for development for urban purposes and the work involved in preparing any environmental planning instrument to rezone land for those purposes and impose appropriate planning controls.

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

## **Assessment of the 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 public purpose of providing for the provision of a public service, including the recoupment of costs incurred by the Minister, the Department and Wollondilly Shire Council in the Wilton Junction Investigation Process.

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 this public purpose. It will ensure that the Developer will make the contribution described above.

### **How the Planning Agreement promotes the public interest**

The Planning Agreement promotes the public interest by facilitating the carrying out of the work involved in assessing and considering the potential of land near Wilton in the Wollondilly Shire Council to be developed for urban purposes, such as residential and commercial purposes, so as to meet the need for increased housing supply and to create new local employment opportunities.

### **How the Planning Agreement promotes the objects of the Act**

The Planning Agreement promotes the following objects of the Act set out in section 5 (a):

- (a) to encourage the promotion and co-ordination of the orderly and economic use and development of land,
- (b) to encourage the protection, provision and co-ordination of communication and utility services,
- (c) to encourage the provision and co-ordination of community services and facilities.

### **Requirements relating to Construction, Occupation and Subdivision Certificates**

The planning agreement does not include requirements that must be complied with before the issue of a construction certificate, subdivision certificate or occupation certificate.