

Explanatory Note
Minister administering the *Environmental Planning and Assessment Act 1979* (ABN 20 770 707 468)
and
Country Dale Group Pty Ltd (ACN 648 342 143)
and
MPMAC Pty Ltd (ACN 652 432 936)
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 7.1 of Part 7 of the *Environmental Planning and Assessment Act 1979* (the **Act**).

This explanatory note has been prepared having regard to the Planning Agreements Practice Note and its contents have been agreed by the parties.

Parties to the Planning Agreement

The parties to the Planning Agreement are the Minister administering the *Environmental Planning and Assessment Act 1979* (ABN 20 770 707 468) (the **Minister**), Country Dale Group Pty Ltd (ACN 648 342 143) and MPMAC Pty Ltd (ACN 652 432 936) (together, the **Developer**).

Description of the Subject Land

The Planning Agreement applies to Lot 34 in Deposited Plan 10718, known as 41 Station Road, Menangle Park 2563 (**Subject Land**).

Description of the Proposed Development

The Developer is seeking to demolish an existing primary dwelling and associated structures, and then subdivide the Subject Land into approximately 17 residential lots, and provide associated infrastructure, generally in accordance with the plan annexed at the end of this explanatory note and Development Application DA2550/2023/DA-SW lodged with Campbelltown City Council (**Proposed Development**). The Developer 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 \$12,873 per residential lot (subject to indexation in accordance with the Planning Agreement) (**Development Contribution**) for the purposes of the provision of designated State public infrastructure within the meaning of clause 6.1 of the *Campbelltown Local Environmental Plan 2015* (**LEP**), which despite its repeal, continues to apply to

DA2550/2023/DA-SW by virtue of clause 4 of *State Environmental Planning Policy Amendment (Housing and Productivity Contributions) 2023*.

An instalment of the Development Contribution will be payable prior to the issue of the relevant Subdivision Certificate in accordance with clause 3 of Schedule 4 of the Planning Agreement.

The objective of the Planning Agreement is to facilitate the delivery of the Developer's contributions towards the provision of designated State public infrastructure referred to in clause 6.1 of the LEP.

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

Assessment of Merits of Planning Agreement

The Public Purpose of the Planning Agreement

In accordance with section 7.4(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 provision of (or the recoupment of the cost of providing) transport or other infrastructure relating to land.

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 an appropriate contribution towards the provision of infrastructure, facilities and services.

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 infrastructure, facilities and services to satisfy needs that arise from development of the Subject Land.

The Developer's offer to contribute towards the provision of designated State public infrastructure will have a positive impact on the public who will ultimately use it.

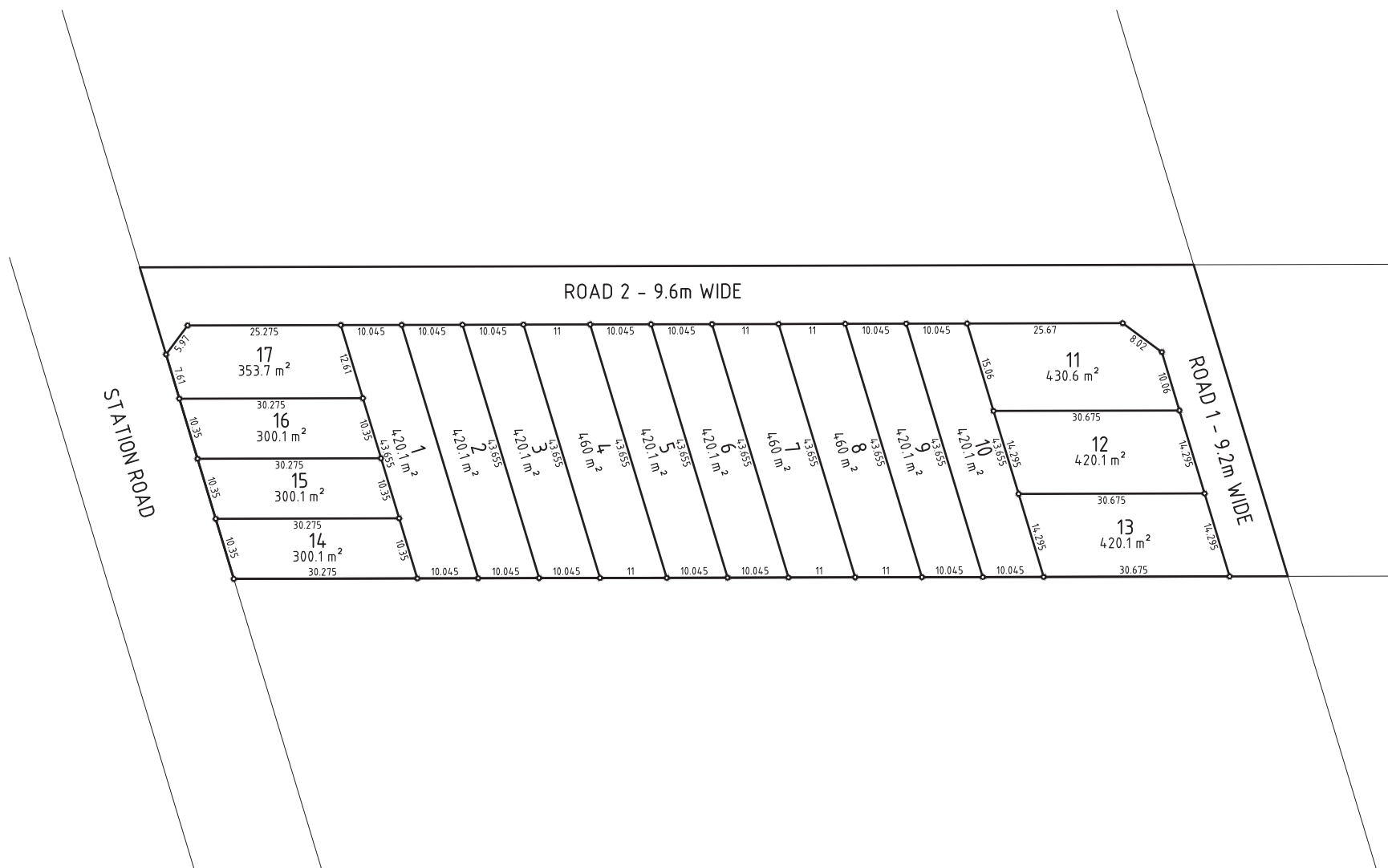
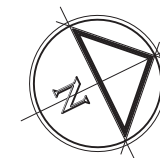
Requirements relating to Construction, Occupation and Subdivision Certificates

The Planning Agreement specifies that the Development Contribution is to be paid 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 6.15(1)(d) of the Act.

The Planning Agreement does not otherwise specify requirements that must be complied with prior to the issue of a construction certificate or an occupation certificate.

Indicative Plan of the Proposed Development

See following page.



NOTE:

- THIS PLAN IS NOT A PLAN OF SURVEY AND NO BOUNDARIES HAVE BEEN SURVEYED OR MARKED.
- THE RELATIONSHIP OF IMPROVEMENTS TO BOUNDARIES ARE DIAGRAMMATIC ONLY AND SHOULD BE CONFIRMED BY FURTHER SURVEY.
- DISTANCES AND AREAS ARE BY TITLE &/OR DEED ONLY AND ARE SUBJECT TO FINAL SURVEY AND COUNCIL APPROVAL.
- ONLY VISIBLE SERVICES HAVE BEEN LOCATED. IF ANY WORKS ARE PROPOSED THE SERVICE AUTHORITIES SHOULD BE CONTACTED.
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- THE TITLE BLOCK AND THESE NOTES FORM AN INTEGRAL PART OF THIS PLAN AND SHOULD NOT BE REMOVED WITHOUT CONSENT OF NORTH WESTERN SURVEYS Pty.Ltd.

PLAN REV.	DESCRIPTION	DATE	SITE	LAND DEVELOPMENT CONSULTANTS	+	TITLE	SURVEYED:	PROJECT MANAGER:
			LOT 34		NORTH WESTERN SURVEYS	PLAN OF PROPOSED SUBDIVISION	-	JOHN ATTARD
			DP 10718		CIVIL ENGINEERING		DRAFTED:	SURVEY DATE:
			41 STATION ROAD, MENANGLE PARK		PROJECT MANAGEMENT		N.H.	13/06/2023
			L.G.A. CAMPBELLTOWN		SUPERINTENDENCY		SCALE @ A2:	PLAN REV:
					WATER SERVICING COORDINATION		1:500	00
00	ORIGINAL ISSUE	13/06/2023		THIS DRAWING IS SUBJECT TO COPYRIGHT. IT MUST NOT BE REPRODUCED IN WHOLE OR PART WITHOUT PRIOR WRITTEN CONSENT OF NORTH WESTERN SURVEYS Pty. Ltd.	PHONE (02) 9831 2040 EMAIL nws@nwsurveys.com.au WEBSITE www.nwsurveys.com.au	THIS PLAN MUST NOT BE USED FOR CONSTRUCTION UNLESS SIGNED AS APPROVED BY PRINCIPAL CERTIFYING AUTHORITY	GRID/DATUM:	PROJECT REFERENCE:
							M.G.A/A.H.D	19931/213-DA