

## EXPLANATORY NOTE

### Voluntary Planning Agreement

#### Frasers Morton Pty Limited and Parramatta City Council

#### Introduction

The purpose of this Explanatory Note is to provide a summary to support the notification of a draft Planning Agreement (**Planning Agreement**), under Section 93F of the *Environmental Planning and Assessment Act 1979 (EPA Act)*, for the lodging of a draft planning proposal with Parramatta City Council (**Council**) for land to be zoned to allow for high density residential development, mixed use and open space (**Proposed Development**).

This explanatory note has been prepared jointly by the parties as required by clause 25E of the *Environmental Planning and Assessment Regulation 2000 (Regulation)*. This explanatory note is not to be used to assist in construing the Planning Agreement.

#### 1 Parties to the Planning Agreement

The parties to the Planning Agreement are Frasers Morton Pty Limited (**Developer**) and the Council.

#### 2 Description of the Subject Land

The Planning Agreement applies to Lot 1 in DP 817709.

The Indicative Staging Plans for the Proposed Development appear in the Planning Agreement at Schedule 3.

#### 3 Description of the Proposed Change to the Environmental Planning Instrument and Development

The Developer has made a request under section 54(3) of the EPA Act by lodging a planning proposal requesting that the subject land be zoned to allow for the Proposed Development.

The Developer proposes to lodge applications for planning approvals for the Proposed Development if the land is rezoned.

#### 4 Summary of Objectives, Nature and Effect of this Planning Agreement

The objective of the Planning Agreement is to ensure the recoupment of the cost of public facilities and infrastructure generated by the incoming population resulting from the urban development of the Proposed Development.

These contributions are set out as follows:

#### Dedication of Land

The Developer agrees to dedicate part of its land along the Parramatta River foreshore to Council for a public reserve.

#### Cash Contributions

The Developer agrees to provide a contribution totalling \$1.75 million towards the construction of a pedestrian and cycling bridge. Other cash contributions to be paid if the approved gross floor area exceeds the level set out in the Planning Agreement.

### **Works in Kind**

The Developer agrees to provide a contribution for works in kind totalling \$1.2 million towards the construction of a pedestrian pathway, public artwork, a river platform, a foreshore road, passive recreation area, landscaping and traffic works.

## **5 Assessment of the Merits of this Planning Agreement**

### **The public purpose of the Planning Agreement**

In accordance with Section 93F(2) of the EPA Act, the Planning Agreement has the following public purposes:

- the provision of (or the recoupment of the costs of providing) public amenities and public services;
- the provision of (or recoupment of the costs of providing) transport or other infrastructure relating to land; and
- the conservation or enhancement of the natural environment.

### **How the Planning Agreement promotes elements of the Council's charter**

In accordance with Section 8 of the *Local Government Act 1993*, the Planning Agreement promotes the Council's charter in the following ways:

- providing for adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively;
- promoting, providing and planning for the needs of children;
- properly managing, developing, protecting, restoring, enhancing and conserving the environment, in a manner that is consistent with and promotes the principles of ecologically sustainable development; and
- engaging in long-term strategic planning on behalf of the local community.

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

The Planning Agreement intends to promote the Public Interest by:

- providing infrastructure such as the construction of a pedestrian bridge, landscaping works and construction of a passive recreation to meet the needs of the incoming population which are anticipated by the Proposed Development; and
- promoting environmental conservation and protection of land by dedicating land for a Council public reserve.

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

The Planning Agreement promotes:

- the proper management, development and conservation of natural and artificial resources;
- the co-ordination of the orderly and economic use and development of land;
- the provision of land for public purposes;
- the protection, provision and co-ordination of community services and facilities; and
- the protection of the environment.

The Planning Agreement achieves these objects by requiring the Developer to make significant contributions as set out in Schedule 4 of the Planning Agreement which will enable the following works and services to be provided:

- land dedication to the Council for a public reserve;
- construction of a pedestrian bridge, pathway, river platform, foreshore road and new vehicle turning circle;
- construction of an passive recreation area; and
- planting and maintaining trees on the new public road reserves.

### **The impact of this Planning Agreement on the public or any section of the public**

The incoming population resulting from the Proposed Development will generate the need for additional public services and amenities.

The Planning Agreement aims to deliver necessary infrastructure and services resulting in a positive impact on the public because the services and amenities required by the public will be provided under the Planning Agreement.

### **Whether the agreement, amendment or revocation conforms with Council's capital works program**

Council's Management Plan incorporates capital work projects aimed at improving public open space and extending Council's foreshore pedestrian and cycleway connections. The terms of the Planning Agreement conform with that intent.