

Explanatory Note

Exhibition of draft Voluntary Planning Agreement

Property known as part 16 Burroway Road and part 5 Footbridge Boulevard, Wentworth Point, NSW (Block H)

(legal description shown in table below)

<i>Lot Number</i>	<i>Deposited Plan Number</i>
Lot 24	DP 270778
Lot 41	DP 270778

Environmental Planning & Assessment Regulation 2000 (clause 25E)

Planning Agreement

The purpose of this Explanatory Note is to provide a plain English summary to support the notification of a draft voluntary Planning Agreement (**the Planning Agreement**) under Section 7.4 of the *Environmental Planning and Assessment Act 1979 (the Act)*.

The Planning Agreement will require a contribution of at least \$70 million towards the following community benefit items in connection with a proposed change to provisions of the Homebush Bay West Development Control Plan (DCP) 2004:

- Embellishment of 6,450m² of open space
- Bennelong Parkway/Hill Road intersection upgrade
- Community facility and child care centre
- Operation of a community shuttle bus
- Maintenance and operational fund
- Water recreation facility or indoor multipurpose courts or other recreation facility.

This Explanatory Note has been prepared jointly between the parties as required by clause 25E of the *Environmental Planning and Assessment Regulation 2000 (the Regulations)*.

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

Parties

WP Block H Pty Ltd (**the Developer**) made an offer to City of Parramatta Council (**the Council**) to enter into a voluntary Planning Agreement, in connection with Amendment no. 2 to the Homebush Bay West DCP 2004.

Description of subject land

The land to which the Planning Agreement applies is legally described above and known as part 16 Burroway Road and part 5 Footbridge Boulevard, Wentworth Point, NSW (**the Land**). The site is commonly referred to as 'Block H'.

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Description of the DCP Amendment to which the Planning Agreement applies

The DCP (amendment no. 2) proposes the following amendments:

- a) Increase the maximum building height and total gross floor areas as part of two development scenarios

Scenario 1

Increase the maximum building height from 25 storeys to 1 x tower up to 25 storeys (102m) and 1 x tower up to 40 storeys (165.45m) plus additional storeys for architectural detailing and increase the total residential gross floor area from 29,743m² to 54,356m².

Scenario 2

Increase the maximum building height from 25 storeys to 1 x tower up to 40 storeys (165.45m) plus additional storeys for architectural detailing and 1 x tower up to 50 storeys (190.65m) plus additional storeys for architectural detailing and increase the total residential gross floor area to 85,000m².

Summary of Objectives, Nature and Effect of the Planning Agreement

Monetary Contribution

The Planning Agreement requires a total monetary contribution of \$19,060,481 towards:
Under development scenario 1 (\$14,300,481)

- Bennelong Parkway / Hill Road intersection upgrade works;
- Community centre and Wentworth Point Library fit out;
- Community Infrastructure Maintenance and Operational Fund

Under development scenario 2, the above contributions, plus an additional \$4,760,000 towards:

- Community Infrastructure Maintenance and Operational Fund.

Works

Under development scenario 1, the Planning Agreement requires the following works in kind:

- Warm shell fit-out of a 75 place child care centre and community facility;
- Embellishment of 6,540m² new open space.

Under development scenario 2, the above works, plus:

- Operation of a shuttle bus service until delivery of Sydney Metro West and Parramatta Light Rail or equivalent for remaining years up to 8 years;
- Delivery of a water recreation facility or indoor multipurpose courts or other recreation facility.

Land

The Planning Agreement requires dedication of:

- Council Stratum Lot for the purposes of the community facility including a child care centre, café and community space.
- Recreation Facility Lot for the purposes of the indoor multipurpose courts or other recreation facility if required.

Assessment of the Merits of the Planning Agreement

How the Planning Agreement Promotes the Objects of the Act and the public interest

The draft Planning Agreement promotes the following objectives of the *Environmental Planning and Assessment Act 1979*:

- to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources;
- to promote the orderly and economic use and development of land; and
- to promote good design and amenity of the built environment.

The draft Planning Agreement promotes the public interest through the provision of public amenities and public services, the provision of infrastructure relating to the land and the enhancement of the built environment.

The Planning Purposes served by the Planning Agreement

The monetary contribution will be used to help with the continued maintenance and operation of community infrastructure, contribute towards the upgrade of the Bennelong Parkway/Hill Road intersection and provide a reimburse to Council for the costs associated with delivering the Wentworth Point Library and Community Centre.

The works will be carried out for the purposes of a public community facility and child care centre, embellishment of public open space, and delivery of a water recreation facility or indoor multipurpose courts or other recreation facility.

The continued operation of the Baylink Shuttle Bus service will also be facilitated by the planning agreement by contributing towards the provision of transport within the precinct.

The land will be dedicated for the purposes of public community facility and child care centre.

How the Planning Agreement promotes the objectives of the *Local Government Act 1993* and the elements of the Council's Charter (now section 8A)

The Planning Agreement is consistent with the following purposes of the *Local Government Act 1993*:

- to give councils the ability to provide goods, services and facilities, and to carry out activities, appropriate to the current and future needs of local communities and the wider public;
- to give councils a role in the management, improvement and development of the resources of their areas;

By enabling Council to provide public infrastructure and facilities, the Planning Agreement is consistent with the following guiding principles of councils, set out in section 8A of the *Local Government Act 1993* (replacing the Council's Charter):

- Councils should provide strong and effective representation, leadership, planning and decision-making.
- Councils should carry out functions in a way that provides the best possible value for residents and ratepayers.
- Councils should plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.

- Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.
- Councils should consider the long term and cumulative effects of actions on future generations.
- Councils should consider the principles of ecologically sustainable development.
- Councils should actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures.

In addition the agreement forms a part of the proposal to amend the planning controls under the Homebush Bay West Development Control Plan (DCP) 2004 and is consistent with the strategic directions of the Greater Sydney Region Plan – A metropolis of three cities, the Central City District Plan, the Greater Parramatta and Olympic Peninsula (GPOP) and Council's Local Strategic Planning Statement (LSPS).

Whether the Planning Agreement conforms with the Council's Capital Works Program

The proposal will provide for additional open space and indoor community spaces within the precinct through the delivery of new a new public park, community facility including a child care centre and water recreation facility or indoor multipurpose courts or other recreation facility. The proposal also provides monetary contributions towards an intersection upgrade and future maintenance and operation of community assets within the precinct. Furthermore, the proposal will ensure the ongoing operation of the Baylink Shuttle Bus for up to 8 years. Each of the commitments made in the attached Planning Agreement will assist in addressing the infrastructure demands identified by Council.

Whether the Planning Agreement specifies that certain requirements must be complied with before a construction certificate, occupation certificate or subdivision certificate is issued

The Planning Agreement requires the following to be satisfied prior to the issue of each occupation certificate:

Bennelong/Hill Road Intersection Upgrade Works	Prior to the issue of a Construction Certificate for Residential Floor Space in Stage H0
Community Centre and Library Fit Out	Prior to the issue of an Occupation Certificate for Stage H1 of the Development
Contribution for Additional Community Infrastructure	Prior to the issue of an Occupation Certificate for Stage H3 of the Development
Additional Contribution for Additional Community Infrastructure	Prior to the issue of an Occupation Certificate for Stage H5 of the Development
Public Pavilion	Prior to the issue of an Occupation Certificate for Stage H3 of the Development
Public Domain Works	Prior to the issue of an Occupation Certificate for Stages H2 and H3 of the Development
Recreation Facility	Prior to the issue of an Occupation Certificate for Stage H6 of the Development
Council Stratum Lot	Construct prior to the issue of an Occupation Certificate for Stage H3.
Recreation Facility Lot	Construct prior to the issue of an Occupation Certificate for Stage H6.