

## **Planning Agreement**

### **Explanatory Note**

**108-118 Station Street, Wentworthville**

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# Planning Agreement

## Explanatory Note

### 108-118 Station Street, Wentworthville

#### 1. Introduction

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This Explanatory Note has been prepared in accordance with clause 25E of the *Environmental Planning & Assessment Regulation 2000* (NSW).

The purpose of this Explanatory Note is to provide a plain English summary to support the notification of a draft planning agreement (**Planning Agreement**) between the parties under s93F of the *Environmental Planning & Assessment Act 1979* (NSW) (**EPA Act**).

#### 1 Parties to the Planning Agreement

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The parties to the Planning Agreement are as follows:

- (1) Cumberland Council (**Council**).
- (2) S 108 Pty Ltd and MA Beaini Pty Ltd (**Developer and Landowner**).

#### 2 Description of the Subject Land

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The land to which the Planning Agreement relates is set out in the table below.

Folio Identifier	Location
Lot B of Deposited Plan 410947	108-118 Station St, Wentworthville

#### 3 Summary of objects, nature and effect of the Planning Agreement

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The offer made by the Developer as set out in the Planning Agreement is largely based on the needs identified by:

- (1) Holroyd Local Environmental Plan 2013.
- (2) Draft Wentworthville Revitalisation Strategy 2016

The intent of the Planning Agreement is to ensure that a public benefit in the form of land dedication for a future public road is provided by the developer.

The contributions to be provided by the Developer under the Planning Agreement are described in the table below.

Description of Contributions
1. The contributions as required by the Holroyd Section 94 Development Contributions Plan 2013.
2. The dedication of approximately 330m <sup>2</sup> of land free-of-cost to Council, for the purpose of a future public road.

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## **4 Assessment of the merits of the Planning Agreement**

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### **4.1 The planning purposes served by the Planning Agreement**

In accordance with section 93F(2) of the EPA Act, the Planning Agreement promotes the following public purpose:

- (1) the provision of public amenities and public services; and
- (2) the monitoring of the planning impacts of development of the Land.

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

In accordance with the objects of the EPA Act, the Planning Agreement promotes the public interest in the following manner:

- (1) the proper management, development and conservation of land;
- (2) the promotion and co-ordination of the orderly and economic use and development of land; and
- (3) the Planning Agreement will not preclude the public being provided with the opportunity for involvement and participation in development assessment. The public have been provided the opportunity to be involved with the development assessment and are invited to make comment on the Planning Agreement, particularly with regard to the public interest.

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

The Planning Agreement promotes a number of elements of Council's Charter under section 8 of the *Local Government Act 1993* (NSW), as follows:

- (1) the exhibition of the Planning Agreement facilitates the involvement of members of the public, while council staff were involved in the development of the Planning Agreement;
  - (2) this explanatory note is prepared for the purposes of keeping the local community and the State government (and through it, the wider community) informed about its activities; and
  - (3) the Planning Agreement makes it clear that Council has a statutory role as consent authority for development and that the Planning Agreement is not intended to unlawfully influence the exercise of its regulatory functions, ensuring that Council will act consistently and without bias, particularly where an activity of the Council is affected.
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