**EXPLANATORY NOTE**

**Planning Agreement**

36 Lonsdale Street, Lilyfield NSW - 64, 66, Brenan Street, Lilyfield, NSW

1. 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 7.4 of the *Environmental Planning and Assessment Act 1979* (**Act**), prepared in connection with Planning Proposal IWC\_ PP\_ 2018 - 13 (**Planning Proposal**).

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

Contributions under section 7.11 of the Act are not excluded under the Planning Agreement.

In this Explanatory Note, capitalised terms have the meaning given to those terms in the Planning Agreement unless otherwise defined.

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:

* + 1. Inner West Council ABN 19 488 017 987 (**Council**); and
    2. JRNN Pty Ltd ACN 169 950 510 (**Owner**).

1. Description of the Land

The Planning Agreement applies to the following (**Land**): land known as:

* 36 Lonsdale Street, Lilyfield NSW being the whole of the land contained in folio identifiers Lot 18 DP 977323, Lot 19 DP 977323 and Lot 20 DP 977323;
* 64 Brenan Street, Lilyfield NSW being the whole of the land contained in folio identifier Lot 1 DP 1057904;
* 66 Brenan Street, Lilyfield NSW being the whole of the land contained in folio identifier Lot 22 DP 977323;

1. Description of the Planning Proposal

Pursuant to the Planning proposal, the Owner seeks an amendment of the Leichhardt Local Environmental Plan 2013 to (amongst other things):

* + 1. Increase floor space ration (FSR) from 0.6:1 to 1.5:1;
    2. Introduce a maximum building height development standard of RL 33.2; and
    3. Add provisions specific to the Land concerning objectives, minimum setbacks, maximum number of 5 storeys and non-residential development at City West Link street level.

1. Summary of Objectives, Nature and Effect of the Planning Agreement

The objective of the Planning Agreement is to facilitate the delivery by the Owner of the Monetary Contribution.

1. Assessment of the merits of the Planning Agreement
   1. How the Planning Agreement promotes the public interest and one or more of the objects of the Act

The Planning Agreement provides funding for public benefits in the form of:

(a) Increased affordable public housing; or

(b) Public domain works

In doing so, the Planning Agreement promotes the following objects of the Act:

* + 1. to promote the orderly and economic use and development of land (section 1.3(c)); and
    2. to promote good design and amenity of the built environment (section 1.3(g)).
  1. How the Planning Agreement promotes the objects of the Local Government Act 1993 (LG Act) and the elements of the Council’s charter

The Planning Agreement promotes the exercise by Council of its functions in accordance with the guiding principles set out in Chapter 3 of the LG Act because it will assist Council to provide infrastructure and facilities appropriate to the current and future needs of the local community and wider public.

The Planning Agreement promotes the Council’s charter by ensuring the delivery of the public benefits under the Planning Agreement which in turn satisfy the following aspects of Council’s charter under the LG Act:

* + 1. Councils should plan strategically for the provision of effective and efficient services and regulation to meet the diverse needs of the local community section 8A(1)(c); and
    2. Council should work with others to secure the appropriate services for local community needs (section 8A(1)(g)).
  1. The impact of the Planning Agreement on the public or any section of the public.

The scope of the Planning Agreement will benefit the local and wider community as it will either improve the amenity of the public domain or contribute to the provision of affordable housing.