

Address given in email

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ICReview@productivity.nsw.gov.au

To whom it may concern

NSW Infrastructure Contributions Review

Thank you for the opportunity to comment on this review. I see the new housing developments in the western suburbs do not have parks, green spaces and open space. Something needs to be done to ensure these communities receive the infrastructure they need.

My concerns include:

Ensure developer contributions are spent in the suburb in which they are collected and not just within the LGA

As an Epping, NSW resident I have seen that the Section 94 Development Contributions collected by Hornsby Shire Council were not spent in Epping on the greatly-needed infrastructure for its growing population. While this was in accordance with the Hornsby DCP 2013 it should not have been permitted. It has left Epping unliveable and devoid of the infrastructure it requires.

In relation to the *Issues Paper* my comments include:

Chapter 3

a. Infrastructure Contribution Mechanisms

p.31 states,

Infrastructure contributions in New South Wales are often criticised for being 'high', with industry groups arguing they adversely impact development feasibility.

As a resident living in an Urban Activation Precinct I would like counteract this criticism and say the contributions are not too high. The increased density permitted justifies high contribution rates as the infrastructure needs are greatly increased with population growth and these are costly. The profits being made through the uplift permitted in growth areas should cover the contributions set by Local Councils.

I support Local Councils setting the development contribution levels rather than this being determined by the State Government.

I do not understand why 'they' would find the contributions hard to predict when they are set out in the Council's DCPs.

Section 7.4 Planning Agreements

p. 32 states,

A lack of consistency applied principles in their application can, however, foster uncertainty. It can also undermine confidence in the planning system. Critics argue that they can create the perception the 'development is for sale' especially where they lead to spot re-zoning, or allowance of additional height and floor space.

I support this perception that 'development is for sale'. The community seems to have no input into the negotiations between Councils/State Government Planning Panels and the developers. Community consultation is token as the real determinations/negotiations have been made prior to the exhibition stage. In Epping we have been astonished at what has been permitted to be built. It would seem even the liveability, sustainability and productivity of communities are for sale. The Greater Sydney Commission District Plans are ignored by the Parramatta Local Planning Panel and the Sydney Central City Planning Panel.

Chapter 4

b. Land Acquisition and rising land values

This is a very significant topic for Epping, at present, in relation to the purchase by developers of RE1 Public Recreation zoned land on the Hornsby LEP Land Reservation Acquisition Plan. This has had negative implications for Epping residents. Although initially purchased with RE1 zoning the site automatically becomes valued at the 'highest and best use'. This increases its value to a level beyond which Councils say they can afford. Should the State Government persist with this ruling then it needs to be prepared to fund the purchase of these sites to meet the community's infrastructure needs.

Spot rezoning should not be permitted.

p. 48 Issue 4.3 Land Acquisition for Public Infrastructure purposes

I support requiring the direct dedication of the land that is needed for infrastructure purposes.

There needs to be more strategic planning for the Urban Growth Centres with land dedicated to be open space identified in the early stages of planning. If a developer purchases land dedicated to be open space or parklands, they should not be permitted to rezone it or develop it.

Can legislation be implemented to protect these sites as the present planning laws allow developers to lodge Planning Proposals to rezone them? Eg RE1 can then be changed to R4 zoning.

p. 50 Issue 4.4 Keeping up with property escalation

What approaches would most effectively account for property acquisition costs?

This question is looking at this matter from the perspective of the developer who hopes to benefit from rezoning. I would like to advocate on behalf of the community and ask what are the costs to the community should these sites not be acquired? That is, the lack of open space, parks, pedestrian access, infrastructure etc can impact on the mental and physical health of residents. This can present a burden to public funds. What is this cost? Why don't the developers pay for this?

p.50 As noted the *Land Acquisition (Just Terms Compensation) Act 1991* can lead to high cost for land that has limited development potential. It can also lead to high cost for land with development potential. In the public interest this matter needs to be addressed. The land needs to be readily available at reasonable costs to become public land. The highest possible use ruling is unfair for communities.

p. 52 Chapter 4 d. Provision of Open Space

p. 52 Issue 4.6 Open Space

Please keep the open space standard which has been determined even though I suspect very few Councils adhere to it.

It is noted in this *Paper* that the open space is moving towards a performance-based approach. This is like saying we cannot provide enough open space so we will justify why it isn't being provided. I therefore do not support this approach.

How can performance criteria assist to contain the costs of open space?

The planners of the past managed to create new suburbs with parks and open spaces laid out. What is stopping the planners of today from doing the same? Use wider walkways and cycleways with trees, change SEPP 65 to give us bigger setbacks, use single urban blocks for small parks/reserves, be creative. If a developer can afford to buy 3 houses in a row then why cannot the Council or State Government do the same to create an open space?

Should the government mandate open space requirement, or should councils be allowed to decide how much open space will be included, based on public demand?

There needs to be an open space standard to guide both governments and Councils. Stick with the seven-acre standard.

Giving this to Councils to decide is pointless as if they do not have the funds. Even if there is public demand for more open space, they cannot afford to deliver it. Epping, NSW is an example of this. There have been countless reviews, petitions and surveys showing the public demand is for more open space. The City of Parramatta Council has repeatedly told residents there is no funding for this. Discussions are ongoing but often seem pointless.

Are infrastructure contributions an appropriate way to fund open public space?

Yes, the infrastructure contributions should go towards funding open public space. However, using Epping, NSW, as an example, the contributions were used to fund Westleigh Park which is about 10kms from Epping. This is not much help for the increasing population in the Epping Town Centre from which the funds were raised. So, it needs to be specified that this is usable public open space within walking distance of the development areas.

In saying this the developer contributions seem to be grossly inadequate for funding open space so additional funds need to be provided for communities.

I support a special infrastructure contribution levy.

Thanking you.

Regards

Name given in email