

It is to be applauded that finally the NSW Government is seeking to reform the Infrastructure Contributions System after many years of contention. Creating a certain, efficient, simple, transparent and consistent process is something many developers and residents have been seeking for in truth the contributions are simply passed down to the home owner who then has to fund it through their mortgage for the next 25 years.

My concern is that IPART's role is being diluted by being engaged only when there is an 'unresolved material issue'. I am particularly concerned that IPART would not be required to review an entire plan but only disputed parts of a plan. This raises the question of who decides when these events occur, what mechanism or procedure is employed to manage these and who is allowed to be engaged i.e. does this become a public engagement for comment as we currently have through IPART? Importantly what appeals process is there etc?

Who will be ensuring that a Council has conducted itself in accordance with the requirements for detailed planning, design and both environmental and cultural heritage investigations?

For example:

During IPART review The Hills Shire Council were asked why CP13 (2018) included three cycleway bridges (at Curtis Road, Wellgate Avenue and Hillview Road) that were not included in CP13 (2010).

The council advised that the bridges were omitted by error.

Unfortunately IPART were provided with false information by the Council. The Council would have been fully aware at that time that these bridges were not included in the original CP13 (2010) due to the North Kellyville finalisation plan (2008) which rezoned the locations as SP2 Trunk Drainage. Furthermore the locations concerned are protected by Appendix 2 Clause 6.2 and 6.3 of the State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

In performing its role IPART is dependent on receiving truthful and correct information, it is therefore incumbent on every Council to provide correct and truthful answers to questions.

Whilst the requirements proposed under this review for Detailed Planning and Environmental Investigations may ensure this type of behaviour can be prevented in the future, IPART were on that occasion supposed to receive full disclosure from the Council. Whilst simplifying by benchmarking there is also a requirement to ensure Governance is maintained and perhaps improved.

Unfortunately there was a lack of Governance when the Council Chamber voted to include the bridges in the CP13 (2018) submission. There is no record in the Council minutes that planning or environmental issues were discussed and as a consequence the public were unaware of these facts during the CP13 (2018) public exhibition.

By claiming it was an error and not disclosing the facts the Council were able to procure \$1.6M of inappropriate funding. If this type of behaviour is extrapolated across NSW then that figure may well be significant.

Given the proposed reduction in IPART scrutiny, what guarantee is there going forward that the requirements, as defined under 7.6 Council on-cost, will be rigorously applied to prevent inappropriate funding in the future?

In the Hills Shire Council CP13 (2018) submission IPART identified a number of works that also benefited the neighbouring CP8, 12 and 15. Where this occurred IPART suggested council should adjust the share of costs apportioned to CP13.

For example for the signalised intersection of Hezlett Road and Samantha Riley Drive to reflect the demand arising from development in Kellyville/Rouse Hill (CP8). Council were resistant to this on the grounds that the CP8 plan is near the end of its life and that it is not desirable to initiate a further review of this plan.

My point here is that in the case of the three bridges previously cited above the locations place each of them across the boundary of CP13 and CP8. However there is no mention in the CP13 (2018) any review of apportionment nor is there any request by Council for additional funding for the access paths onto the bridges themselves.

In the case of CP8 at least one of the access paths required (Hillview Road) was diverted in 2001 as the land owner, Sydney Water, refused easement across its land as it is a protected critically endangered ecological community. As a result this funding in CP8 has already been spent and yet here is a Council attempting to procure public fund yet again for something that has already been built. There has never been any allocation of funding within CP8 for access paths relating to any of the other bridges and by the Council's own admission to IPART CP8 is at end of life.

To the casual observer much of the NW Sydney planning has been discreet and compartmentalised. In short it has not benefited from a joined up regional plan and preplaced infrastructure. I welcome the approach of Bench Mark Costing for infrastructure as a means of improving value for money and a means to deliver much needed critical infrastructure across our State.

Far from marginalising IPART I believe the above indicates that now is the time for IPART (Or another dedicated independent body) to take on a greater holistic view with greater investigative power to fully determine the legitimacy of these alleged critical infrastructure projects and spend.

Simply commoditising the process without ensuring that Councils' adhere to the requirements of 7.6 (Council on-cost) as a pre requisite when making submission weakens any attempt to improve on what we already have, which as we know is not ideal.