

My name is Deb Hirst I am the owner of [REDACTED] St Leonards.

I have lived at our home with my husband Martin for over 25 years.

We raised our family here.

Thank you for the opportunity as an “interested party” to write a submission in response to your draft report of October 2021.

Your draft report of October 2021 is in response to the Lane Cove Council(LCC) St Leonards South section 7.11 contribution plan (SLS CP) to the Independent Pricing and Regulatory Tribunal NSW (IPART) in May 2021.

I am one of the 10 families who own the homes that will be acquired by LCC as open space for a park in the St Leonards South Land and Environment Plan (SLS LEP).

It is extremely pleasing to see that IPART “do not consider it reasonable to deliver the park after 70% of total contributions are collected” (p18 6.2 Criterion 4: Timing of Infrastructure delivery IPART Draft Report). Your recommendation to LCC, in your Draft Report is to “investigate how to deliver the local park earlier by “borrowing funds for land costs and include an allowance to recover the interest costs” (p19 6.2 Criterion 4: Timing of Infrastructure delivery IPART Draft Report).

Looking at other means to find a way to deliver the park earlier is not new to LCC.

The council had this as an agenda item on their 19 April 2021 Ordinary Meeting. A Lane Cove Councillor suggested to the LCC General Manager that LCC borrow the money to pay for the park. The General Manager said this was not possible because this would burden the whole community... particularly if the development did not go ahead.

It is clear that LCC want this development to go ahead. So does the State Government particularly because the SLS LEP is a priority precinct.

Indeed, at many council meetings over many, many, years, LCC have described the SLS LEP as “their legacy” to the Lane Cove Community.

An earlier purchase of the park by borrowing the funds is the only way forward for a positive outcome for all the stakeholders.

Positive outcomes for the 10 families

- The current owners will have certainty for their future given that LCC is their only purchaser.

Positive outcome for the Council

- The Council will be able to purchase and deliver the park according to their plan and avoid the great risk of a greater shortfall of funds as land prices continue to rise.

Positive outcome for incoming residents

- The incoming residents will have a park when they move in to their new homes giving them the open space promised in the plan.

A delayed delivery of the park will have extremely negative outcomes for all the stakeholders.

Negative outcome for the 10 families

As stated in your draft report “the Council currently plans to complete land acquisition after collecting enough contributions (about 76%) of total dwellings” and this as stated in your draft report is a “high threshold, particularly given the low provision of open space in the precinct” (page18 6.1 Overview of Cross-category issues assessment IPART Draft Report).

- Developers, now, do not have to pay their contributions until occupation certificates are issued. This effectively means that the families living in what will be acquired as a park will be living in their homes with development going on all around them.
- Added to horror of living in a construction site for years, it is obvious that Berry Lane will have to be closed off for construction to be possible.
- Of the 10 families effected, five of the families have garages on Berry Lane and three of the families have rear lane access via Berry Lane. This means that for 8 families there will be no vehicular access to their homes.
- Berry Lane is also where we put out our garbage bins out for council waste collection.

There are many layers of inconvenience, heartache, along with great uncertainty for our future here for the 10 families involved, because LCC will not borrow the funds for an open space that by their design and planning made them “LCC” our only purchaser.

Negative outcome for the Council

The Hill PDA valuation of March 2021 that was used in the IPART request to you by LCC is already out of date in just 6 months.

- The longer LCC delay in working out a way to deliver the park earlier the greater is the difficulty to work out the \$ needed and that creates uncertainty for the community and the Council.
- As the Sydney property market continues to go up the shortfall of funds for LCC will only increase making the acquisition of our homes more problematic. While there is risk for the LCC to borrow funds there is also a risk that “Future land costs could be different to councils current forecast, creating the risk of a funding shortfall if they are higher than forecast” (p18 6.2 Criterion 4: Timing of infrastructure delivery IPART Draft Report).

Negative outcome for the incoming residents

Your Draft Report to LCC raises important concerns for incoming residents with respect to a late delivery of the park because:

- there is already a “low provision of open space in the precinct” (p18 6.1 Overview of Cross-Category issues Assessment IPART Draft Report)
- open space provision is supposed to be of more benefit to incoming residents (p12 3.6 Criterion 5: Apportionment of Open Space IPART Draft Report)
- when the new residents move in, the park will not be available to them for a long time and this impacts negatively on promised community services that simply will not be available if LCC do not deliver the park earlier.

LCC are seeking to levy the uncapped contributions amount in the SLS CP.

IPART has assisted LCC by giving the council what they have asked for in the Draft Report.

As stated by IPART, LCC “places the highest priority on acquiring land for the local park. However, under the council’s plan it would not borrow to complete any works under the plan” (P18 6.2 Criterion 4: Timing of Infrastructure delivery IPART Draft Report).

If the delivery of a park is really such a high priority in the SLS LEP for LCC, it is now time for LCC to achieve this by following your recommendation of delivering the local park earlier so there can be a positive outcome for all stake holders.

regards

Deb Hirst

 Leonards 2065