

Ian & Kate Kilpatrick

4 December, 2003

To Whom It May Concern

Review of Rental for Domestic Waterfront Tenancies in NSW
Independent Pricing and Regulatory Tribunal
PO Box Q290 , QVB Post Office NSW 1230

To whom it may concern

Re: Issues Paper: Review into Rentals for Waterfront Tenancies on Crown land in NSW

As requested we wish to comment on the above paper.

We feel that the rental review is totally unfair, disproportionate and seeks to penalise residents whose permissive occupancy is for passive use only. The reclaimed land attached to our property for which we pay licence fees, public liability insurance as well as maintenance, has the main sewerage line running through it and has been dug up on a fairly regular basis as shown below:

This assigned land is accessible to any member of the public and we have absolutely no additional rights to it.

As seen in the following photograph, this land is constantly inundated with stormwater flowing from the surrounding hills and it is not possible to traverse on foot or by other means most of the time.

When we purchased our property 13 years ago, we paid a security deposit for the attached land which is not interest bearing and it is now worth a fraction of its original value and will be worth even less when we are forced to sell this property through inequitable bureaucratic escalating costs.

We are unable to erect anything on this piece of land, and as such it is hard to find justification for rents to be linked to market rent rates when the land is useless.

Our local government rates are some 100% more than that of the houses opposite in the street so we feel that we are already paying a premium for the privilege to live in such a position. When we purchased our home, we accepted if we were to purchase it, that we had no choice but to accept the attached permissive occupancy, despite its uselessness and non-exclusivity. As such we paid the fees associated, but the suggestion of a 2000% increase in those charges is beyond our tolerance.

We hope that the Tribunal sees fit to consider our comments and we await the outcome.

IAN KILPATRICK JP

KATE KILPATRICK