

In October 2013 I attended one of the initial community consultation sessions ('Landowner Information Session') for the Vineyard Precinct and heard how the NSW Department of Planning & Infrastructure (as it was known prior to being renamed Department of Planning & Environment) would be working closely with the Hawkesbury Council throughout the precinct planning process, receiving handout documentation that referenced the accelerated path of planning to development that was to be followed. In this meeting the indicative timing of **Rezoning** was advised as the first half of 2015 and this stage in the process defined as follows:

The Director-General of the Department of Planning & Infrastructure adopts the Precinct Development Control Plan and recommends the Minister amend the Growth Centres SEPP.

The Department works with Council to finalise and adopt the Section 94 Contribution Plan.

In documentation handed out as part of the subsequent 'Vineyard Precinct Planning Workshop' in June 2014, the rezoning timing in the 'FREQUENTLY ASKED QUESTIONS' was consistent with the 'Landowner Information Session' details and stated "The Department is working to rezone the Precinct by mid 2015."

'Community Update 3' in November 2014 maintained the 2015 rezoning 'aspiration' per below:

When with rezoning happen?

- We are working to rezone the Precinct in 2015.

Included in 'Community Update 3' was the following:

If my land is rezoned but not yet serviced I won't be able to develop. Will I have to pay higher council rates while I wait for my land to be serviced?

- How rates are calculated varies between each Local Government Area but they are generally based on land values determined by the Valuer-General. A rise in the value of land can mean a rise in Council rates. For more information about how rates are determined please visit http://www.lpi.nsw.gov.au/land_valuation.
- Hawkesbury Council is responsible for council rates in the Vineyard Precinct. Any questions in relation to Council rates may be referred to Hawkesbury Council.
- We are investigating the opportunity to rezone land in parts of the Precinct where essential infrastructure will be available at or soon after rezoning, and deferring the rezoning of other land until there is demand for housing and the timing of infrastructure delivery is more certain. (Underlining added to bring attention to the intent implied in this point.)

In the 'Vineyard Precinct Plan Stage 1' documentation from late 2016, on page 10 the following is a partial extract from under the **S94 Contributions Plan** heading:

Under current NSW Government policy, funding for local infrastructure can be collected by councils under section 94 of the *Environmental Planning & Assessment Act 1979*. These contributions, levied through the development process, are limited to \$30,000 per residential lot. Contributions per lot are usually higher and the State government is presently contributing the remainder of the cost.

Hawkesbury City Council is preparing a draft Section 94 Contributions Plan for land within Stage 1 that will list these public infrastructure items, and this is anticipated to be exhibited in early 2017. (Underlining added to bring attention to the fact that Hawkesbury Council was allegedly working on the contribution plan 3 years ago, approximately 12 months prior to rezoning and 18 months before they put the Draft Vineyard S7.11 Contributions Plan on exhibition.)

In the letter from George Koshy from the Department of Planning & Environment dated 18 December 2017, advising of the rezoning of Stage 1 of the Vineyard Precinct, the **Next steps** section included the following:

“Slabs for new homes will be laid from around 12 months after rezoning.”

I provide the above overview of the journey so far not because I think people are unaware of it but because it obvious that somewhere along the way the Hawkesbury Council has clearly stopped working with NSW Planning and as a landowner within Stage 1 of the Vineyard Precinct I am having to suffer a significant financial strain while this process gets back on track.

As with all landowners in the precinct, there has been the increase in Council rates from the 2018/19 financial year on the back of the rezoning and subsequent revaluation of land with residential zoning, noting that the 2018/19 rates included an ‘added extra’ retrospective payment for the 2017/18 year. In addition to this I have incurred a significant increase in land tax payments for the years since the rezoning was gazetted, as well as, for the retrospective valuation of my land with residential zoning for a period of time before it was actually rezoned. The Valuer-General office advised that the retrosepctive revaluation as residential **for the period preceding the actual rezoning** was a request from Hawkesbury Council – apparently allowed under the relevant piece of legislation but **makes no sense** to me.

Clearly there are issues and inequities across the broader planning process and these seem to be all on show with Stage 1 of the Vineyard precinct as the land values, associated council rates and land taxes increase at a much faster rate that the actually ability to convert the land into actual residential homes.

The revenue raising that this enables for the Hawkesbury Council is one of the reasons that I believe that they are actively delaying the finalising of the S7.11 Contributions Plan – it must be given:

1. the intended working relationship with NSW Planning appears broken / non-existent
2. Hawkesbury Council was supposedly working on the S94 Contribution plan in late-2016
3. Hawkesbury Council hasn’t engaged with IPART following the first report and has not addressed many of the recommendations in that report. Rather they appear to have engaged other consultants to assist in the cash grab.

Further to the yearly cash imposts now being experienced by all Stage 1 landowners / residents, is the likely reduction in the sale value of the land due to the exclusion of the precinct from the Local Infrastructure Growth Scheme (LIGS) – this program being referenced in the ‘earlier’ planning

documentation (per my history summary), however, sadly excluded due to the rezoning gazettal coming less than 6 months after the changes to LIGS.

With regard to the specifics of the second IPART report, please see below my comments:

2.5 Why are we publishing a Second Draft Report?

I firmly believe that Hawkesbury Council is using delaying tactics for revenue raising purposes through the current inflated rates regime that is being applied to landowners within Stage 1 of the Vineyard Precinct, as well as, surrounding areas.

I also have reason to believe that Hawkesbury Council has no expectation that IPART would accept their revised submission – a further source of aggravation for someone who is literally paying for the delays.

3.4.2 Indicative contribution rates for residential development and Table 3.4

Further to all of my commentary above, it is a **disgrace** that a contributions plan that was published in public documents as being commenced prior to the end of 2016 was allegedly ‘under done’ by more than 15% or circa \$25 million when put on exhibition in May 2018 – after 18 months of work.

4. Transport

The only thing that I add / request for this section is that the roadworks running along the boundary of the precinct that include Chapman Rd, Commercial Rd, Menin Rd do not incur any costs under the contributions plan. This is based on the fact that this section of road has been included in the Special Infrastructure Contribution plan as ‘NXR23.5’ with a budget of \$130,000,000 – document link below:

<https://www.planning.nsw.gov.au/-/media/Files/DPE/Other/North-West-Growth-Area-Proposed-Special-Infrastructure-Contribution.pdf> Refer to document pages 10 & 15 as copied in below

Proposed Infrastructure map



Legend

- Proposed SC Road Upgrade
- Current SC Road Upgrade
- Active Transport Infrastructure
- Local Government Areas (LGA) Boundary
- Council
- Emergency Services Infrastructure
- Open Space Infrastructure
- Waterage
- Green Space

Regional / State Road Network

Current SC Road	Project Name	Value
N021.2	Cladwell Road (150) North-west of Cladwell Rd to northern boundary of Windsor Fibrecrete Project Basin - Cladwell Street	\$21,000,000
N021.3	Cladwell Road (150) North-west of boundary of Windsor Fibrecrete Project Basin - Dawson Road	\$11,000,000
BNK1	Almond Avenue upgrade	\$50,000,000
Proposed New SC Road		\$173,386,467
N002.2	Frankston North Extension Street Cornering Road to Griffith Road East	\$10,000,000
N002.3	Frankston North Extension Street Cornering Road East to Whittaker Road	\$30,750,000
N002.1	Bandin Road - Commercial Road to Gungahlin Road	\$10,500,000
N002.2	Bandin Road - Commercial Road to Bandin Road East/1st	\$10,000,000
N002.3	Bandin Road - Bullocky to Whittaker Road	\$78,000,000
N002.4	Bandin Road - Whittaker Road to Whittaker Road	\$30,000,000
N002.5	Bandin Road - Whittaker Road to Whittaker Road	\$10,000,000
N002.6	Whittaker Road - Gungahlin Rd to Whittaker Road, including Location 5	\$34,500,000
N002.1	South Street West - Belconnen Road to Gungahlin Road	\$44,250,000
N002.2	South Street West - Gungahlin Road to Gungahlin Road	\$46,000,000
N002.5	Franklin Road - Ben Chiswick	\$15,000,000

Regional / State Road Network

Proposed New SC Road	Value	
N0026	Whittaker Road - Commercial Road to Murrumbidgee Road	\$21,400,000
N0027	Commercial Road - McLeod Avenue to Whittaker Road	\$9,450,000
N0028	Whittaker Road Extension CHSDD	\$1,242,000
N0031	Lalor Street - Whittaker Road to Hamilton Street	\$1,399,383
N0032	Whittaker Road - Whittaker Road to Hamilton Street	\$1,002,778
N0033	Whittaker Road - Bullocky to Whittaker Road - Future upgrade	\$9,750,000
N0034	Whittaker Road - Whittaker Road to Acacia Road - Future Upgrade	\$11,600,000
N0035	Whittaker Road - Bullocky to Murrumbidgee Road - Future upgrade	\$11,380,000
N0037	Whittaker Road - Future upgrade	\$71,500,000
Public Transport		\$158,720,000
Deposit and Interchanges - Land Acquisition		
P1	Deer - Ben Hill - Land	\$7,000,000
P2	Hammond Creek Interchange - Ben Hill - Aladdin Park - Land	\$7,000,000
P3	Hammond Creek Interchange - Ben Hill - Ben Hill - Land	\$7,000,000
P4	Low Level Interchange - Ben Hill - Ben Hill - Land	\$7,000,000
Deposit and Interchanges - Capital Cost		
P1	Deer - Ben Hill	\$1,000,000
P2	Hammond Creek Interchange - Ben Hill - Aladdin Park	\$6,000,000
P3	Hammond Creek Interchange - Ben Hill - Ben Hill	\$6,000,000

I will comment that the number of recommendations from the first IPART draft report that were ignored in Hawkesbury Council’s revised submission is a joke, as is the cash grab attempt by not recognising the revised status of Boundary Rd.

I will also comment that proposed Cycleway creek crossings appear to an attempt to attract tourists to the area in future given how elaborately they have been costed by Hawkesbury Council!

5. Stormwater management

My comments focus on the removal of Channel stabilisation works DC2 from the contributions plan. As mentioned in section 5.5 “...”restore existing damage to the watercourse”...” has been included in the report by the consultants engaged by Hawkesbury Council (JWP). Given that Hawkesbury Council appears to have a long term record of spending very little in section of the local government area* that includes Stage 1 of the Vineyard Precinct, coupled with the windfall of rates funds being derived from landowners in and around the same area, the Council should be addressing this identified issue post haste and not burden future development contributions with these works.

* Comments based on Hawkesbury Council ‘Connecting Our Community, Our Work Creating our city’ document dated June 2018, open floor discussion between residents and Council members regarding the lack of investment in the greater Oakville area at the Maraylya Town Hall meeting at / around June 2018 and similar updates given in 2019.

6. Open Space

More ignoring of the IPART recommendations from the first review report!

Regarding the recommended reduction in the contingency allowance – has this been reflected in Table 6.1? There is no explicit mention of this in the table even though the opening commentary includes it under Criterion 4.

With regards to the costs / revenues associated with the embellishment of open space within the precinct, who will be holding Hawkesbury Council accountable for spending the money they raise for the purpose it was raised?

Sections 6.4.1 and 6.4.2 read as though the consultant has taken a rather ‘slap happy’ approach to their recommendations for Hawkesbury Council. Given the themes of the first IPART report regarding the use of appropriate cost references from other precincts – there appears a clear ‘miss’ in the revised Hawkesbury Council submission on this.

9. Land costs

As someone who is paying for the sharp increase in land value following the rezoning, only to watch it now decrease, I am sceptical that the Council is quoting higher figures for land in order to support the values that they are basing the current rates on, i.e., to be planning on land having a lower value than is currently rated is not a good look, is it!!

As with previous sections in the IPART report, the validation of the Council submission appears tenuous.

END OF COMMENTARY / SUBMISSION