

3/12/03

& Regulatory Tribunal
PO Box Q290
QVB Post Office NSW 1230

Re: Review of rental for domestic Waterfront tenancies

As a licensee of a waterfront tenancy I have concerns with the review on domestic waterfront tenancies and the likelihood of increases in the rental. My concerns are as follows

1: Concern for "market value" rentals. In the majority of cases the domestic waterfront tenancy can only be licensed by the property owner and as a result should not be worked out as a "market value" as a single tenant only could ever occur for the license. Based on what I am currently being charged I believe the existing rentals are more than adequate. Unlike many commercial licenses, it is not feasible for the licensee to walk away from waterfront tenancies, and this should be taken into account when calculating the costs of licenses

2: I bought the above property in 1998, the previous owner was paying around \$690.00 per year license fee. My license fee was changed and is now at present \$1 181.00. (Note this is more than my council rates) It increases by CPI. I have been informed that some people have not had increases in their license fees for some time, but believe this is not the case with recent tenants (including myself) who are paying their fees including yearly CPI increases. THIS should be taken into consideration.

3: Using the formula in the "review into rentals for waterfront tenancies" I calculate the rental to now be at least \$2290.00. A jump of about 100% on current license fees and over 3 times the costs of only 5 years ago. I believe the proposed formula is extremely unfair and the calculated license rentals would make the cost of owning a license an extreme burden.

4: With all the talk on domestic waterfront tenancies, no consideration has been made for the ability of the property owner to buy the license. I believe this has been allowed with some past State governments.

A discussion and formula should be worked out to allow for people to BUY the license off the crown. This would provide property owners the right to buy their license, as is the case with many "commercial" licenses, and would also provide certainty for the property owner. Many licensed properties are only accessible to the licensee and would never have direct public access. They are not on Sydney Harbour and adjacent properties and surroundings limit any ability of the public to have access to them. They in effect have become permanent structures and part of the surrounding landscape.

5: I am concerned that the only notification of a rental review on domestic waterfront tenancies was through the papers (at no time in any paper I read was information given out that the public had a right to reply to this review, nor where to find information regarding the review). My personal enquiries led me to speak with Bob Burford and result in reading the review. As no direct notification has been made to actual licensees of the structure of the review, I believe many will be shocked at the increases in license fees proposed and concerned that they were not notified directly as could have been easily managed by notifying all licensees.

6: I believe the land that I am licensing has been in place for at least the over 30 years and as a result the structure has become a permanent part of the landscape, the current calculation (including CPI increases) used for the license is more than adequate. The proposed formula places an unfair burden on the licensee.

I believe the review should take into consideration the ability of the licensee to buy the license outright, where it is acknowledged that the licensed area has no impact with proposed public access or thoroughfare.

Please contact me at anytime in regard to the letter, the results of the review affect me directly and I would like to be kept informed of what is happening.
Regards

David Quay