

11 May 2007

Review of DEUS Developer Charges Guidelines
for Water Supply, Sewerage & Stormwater
Independent Pricing & Regulatory Tribunal
P O Box Q290
QVB Post Office
NSW 1230

Dear Sirs

SUBMISSION

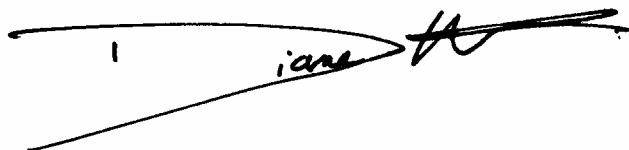
Attached is a submission prepared by Mr Peter Price, Economic Planning Advocacy on behalf of the Association of Consulting Surveyors NSW (the Association).

The Association represents the private sector of the surveying and spatial information industry in New South Wales. Our members are firms from regional and metropolitan regions with a major involvement in land development processes.

Mr Price, a former principal of a member firm, is an Honorary Member of the Association in recognition of his long term involvement as a leader of the profession.

Mr Price will be attending the hearing to be held in Port Macquarie on the 18 June accompanied by two local members, Messrs Thorne and Green. It would be appreciated if Mr Price could be given an opportunity to speak to this submission and answer any questions that may arise.

Yours sincerely



Diane North
Executive Officer

Submission

**To the Independent Pricing and Regulatory
Tribunal**

In Response to the Water - Issues Paper

- April 2007

**For the “Review of DEUS Developer Charges
Guidelines for Water Supply, Sewerage and
Stormwater”**

**Prepared for the Association of Consulting
Surveyors NSW**

By Peter M Price

Economic Planning Advocacy

8 May 2007

1. INTRODUCTION

The Association represents consulting firms throughout NSW and has traditionally been concerned with regional issues. Surveyors have, relatively exclusively, provided a wide range of land consulting services to coastal and inland NSW over many years and in many locations. While the current trend is to have multi-disciplinary practices, these have remained within the Associations fold.

The Associations members have close links with the housing industry and the myriad of sub-consultants that meet the many demands of the government and the community.

The NSW housing industry generally, is concerned about the impact of the development charges resulting from the Department of Land and Water Conservation (DLWC) Development Charges Guidelines published in 2002. The claims for charges in a number of local areas are substantially more than a fair and reasonable amount. The social and economic affects will be profound.

It is a concern that the Department, now the Department of Energy Utilities and Sustainability (DEUS) and local government may see the housing industry as also an additional source of funds enabling local government to mend their budgets. The combination of the structure and content of the Guidelines and the interpretation of the Guidelines by local water authorities and their consultants provides opportunities to claim additional income.

The members have observed that the high claims are accompanied by excessive expenditures and disproportionate amounts being sought from new housing. While there is an obvious concern with housing affordability, there must also be a concern at the impact of the charges on demand and the flow on effects for Councils/LWAs. This will become concerning when there is a fall off in demand because of prices or the LWAs charges are successfully challenged. The concern is most relevant where Council's have engaged in expensive private/public partnerships (PPPs).

What is certain is that the Guidelines and the interpretation and application of these by local water authorities are a challenge to the viability of the housing industry and the cost of housing to the community.

It is clear that the DEUS Guidelines and their application do in fact distort the principles contained in the industry supported Independent Pricing and Regulatory Tribunal ('IPaRT') Guidelines, to claim charges which are from 3 to 14 times the median charges for water and sewerage headworks in the Sydney metropolitan area.

A major criticism is the failure by DEUS to properly and fairly manage the process by allowing unfettered claims in new Development Servicing Plans (DSPs), which in some respects do not comply with any Guidelines.

2. BACKGROUND

The Association of Consulting Surveyors NSW represents its members and in particular consultants to the land and housing development industry.

The Association and the Institution of Surveyors NSW Inc made submissions and was represented by a member (Peter Price) on the Water Industry Forum formed by the NSW Government Pricing Tribunal (now IPaRT) in 1994-95 to help develop Guidelines for the fair pricing of upfront water and sewerage development charges in Sydney, Gosford, Wyong and the Hunter areas. The IPaRT Determination Number 9, which contained Guidelines for the calculation of water and sewerage development charges was released in 1995. The first DSPs were registered in 1996.

Membership of the Forum was extended widely to all stakeholders including the DLWC.

The IPaRT issued the advisory Pricing Principles for Local Water Authorities in 1996 to all Councils and other local water authorities. However as DLWC had the power, as a consequence of the change in the Local Government Act in 1993, it chose to ignore these and introduced, in late 2002, its own Guidelines for development charges for water supply, sewerage and stormwater. The Association has been, and remains critical, that the principles and practices promoted by DEUS, do not adhere to the reasonable principles contained in the IPaRT Determinations of 1995 and 2000, contrary to the claim by DEUS.

3. PRINCIPAL CRITICISMS OF THE DEUS GUIDELINES

The Association has been making submissions to government for the past 5 years. It acknowledges that the Urban Development Institute of Australia (NSW) and a number of housing industry companies have cleared the way forward by commissioning a NSW Regional DSP - Principles Study. The Association and a number of members have been provided with copies of the Study and the Background Papers. The findings are extensive and complex. The Association members and their clients have had to face the very substantial increases in the charges in recent years and understand the substantive issues. Members and clients have indicated their general supports of the findings, though some confess to being daunted by the complexity.

Matters of particular concern to the Association and its members include:

3.1 Failure to Consult with the Industry

There has been no direct input by the industry into the development of the DEUS Guidelines.

The Guidelines were developed from the first draft in 1998 up to 2002, by DLWC, without any formal consultation process with industry. The industry was not given the same opportunity to discuss, analyse and test the DLWC principles as occurred with the IPaRT Guidelines.

Industry consultants were banned from workshops which were run to provide a presentation of the Guidelines to water authorities in 2002. No similar workshops were held for the industry.

3.2 Differences Between the IPaRT and DEUS Guidelines

The IPaRT Guidelines are based on the principle that new development should pay:

- \$ *for the provision of infrastructure/facilities for new development. As IPaRT determined, this is to "recover part of the infrastructure costs incurred in servicing new developments" IPaRT Determination No 9 September 2000.*
- \$ *for full cost recovery which is achieved by a combination of development charges paid by a developer and annual charges paid by the new owner in rates. Department of Planning submission to the GPT 1994.*

The DEUS Guidelines depart from the IPaRT principles as follows:

- \$ By not using a net present value (NPV). NPV was chosen to mirror the industry's method of analysing the cash flow of costs and income for development projects.
- \$ By including assets in the calculation that IPaRT stated must be excluded;
- \$ By assuming that the growth in new development will be uniform, to suit its calculation method. It is rarely uniform;
- \$ By including backlog works. This is a failure of nexus to new development;
- \$ By providing methods which understate the apportionment;
- \$ By combining charges using a flawed financial management tool called "agglomeration" which weights the charges to be combined, by a method which is different to that used to calculate the charges in the first instance. The process also negates nexus.
- \$ By iteration of the reduction amount, which is a manipulation of the outcome resulting in a shift of cost to new users. The IPaRT methodology is a once only calculation based upon a sound financial management principle.

The Department consistently claim adherence to the IPaRT Guidelines but just as consistently provide the means for regional water supply authorities to avoid complying with the basic principles of equity embodied in the IPaRT Guidelines.

3.3 The NPV Methodology versus the RoI Methodology

The net present value (NPV) methodology was adopted by IPaRT to balance the infrastructure costs and income streams, in keeping with industry best practice. It is a well known, fair and consistent methodology.

The Return on Investment (RoI) methodology adopted by the DEUS Guidelines is based upon claimed "simplicity". It is concept more akin to a 'for profit' organisation. It fails to work in a reasonable way for the following reasons:

- \$ The rules applying to NPV adopted by IPaRT cannot be directly applied to RoI as the models function in the opposite direction. One amortises (RoI) while the other discounts (NPV). The algorithms cannot be easily translated. Certainly DEUS has not.
- \$ The converse of NPV which might have been appropriate, is in fact a cash flow analysis, not RoI.
- \$ The RoI methodology is merely an interest calculation with some aspects of discounted cash flow bolted on. Because it is in effect a number of calculations with their own assumptions, it does not address all of the principles adequately and is prone to error.
- \$ RoI does not provide a balancing of cash flows as the IPaRT NPV approach does. It is a piecemeal approach to the problem of cost recovery which can be easily manipulated. There is no means of checking whether income from rate revenue and developer charges will balance with the costs. Net present Value ("NPV") is not sanctioned by DEUS as a best practice method for the calculation of developer charges. This is the most significant departure from the IPaRT Guidelines.
- \$ Regional water supply authorities are required by DEUS to use the RoI method as set out in Appendix B Section 4(g) of the Best Practice Management of Water Supply and Sewerage – Guidelines – May 2004 as issued by DEUS. Compliance with these requirements is mandatory when councils are seeking subsidy and wish to pay dividends from their Water and Sewer Funds to their General Fund.

In effect, this is most local water authorities, particularly in growth areas with backlog.
- \$ The DEUS Guidelines' concept of "return on investment" encourages regional water supply authorities to maximise their returns as if they were operating a "for profit" commercial venture.
- \$ Water supply authorities are not commercial operations, because its own capital is not at risk. They are monopoly service providers.
- \$ The use of RoI is a different philosophy and in practice achieves a different outcome to the IPaRT Guidelines which are based upon NPV and "full cost recovery".

- \$ RoI was not included in the IPaRT Guidelines nor considered by the Water Industry Forum.
- \$ RoI assumes a straight line take up of released land by development, which rarely occurs. Variations in lot releases over time will be sporadic, seasonal and will vary significantly. The most usual take up graph is curved with a steep takeup at the start of a land subdivision, typically 60% of the stock per annum, tapering off in later years.

3.4 "Back Interest"

- \$ The RoI calculation for existing assets commences at 1996, but uses the DSP date value (say 2006), with costs based on 2006 dollar values. It is a clear distortion of basic financial management principles to charge interest from 1996 on nominal 2006 dollars.
- \$ It is also a breach of the IPaRT Determination Section 5.4(b) which states that charges calculations for existing assets at 1996 should be based upon 1996 dollar values.
- \$ For pre-1996 assets, the IPaRT Guidelines require discounting back to 1996 using 1996 dollar values.
- \$ The DEUS Guidelines use the DSP date value, but add interest from 1996. In effect at 2006, the DEUS method collects "back interest" over 10 years for an investment of infrastructure in 2006 \$ values. In 2016 the method would collect "back interest" over 20 years for an infrastructure investment in 2016 \$ values.
- \$ The RoI method is not endorsed by IPaRT nor NSW Treasury and is not used anywhere else in NSW apart from those regional authorities supervised by DEUS. It is not used for the commercial assessment of projects by the NSW development industry.
- \$ The RoI method and the FIN MOD financial package need to be tested against the Local Government Code of Accounting Practice and the NSW Treasury Guidelines for Economic Appraisal. It should be noted that the NSW Treasury was represented on the IPaRT Water Industry Forum. DEUS makes no claim to having consulted with the Treasury.

3.5 Asset Selection

The Guidelines do not provide adequate advice about asset selection, nor does the Department monitor what is included in DSPs. As a result regional water supply authorities are not inhibited from including substantial "reticulation" costs in their DSP's. It is acknowledged that the DEUS Guidelines do advise that such assets should be excluded, but this is obviously inadequate.

The restriction is overcome for example by:

- \$ Merely deciding that works are not reticulation, if the pipes for example exceed a minimum size;

- \$ Calling pressure sewer pipes in streets which serve individual properties reticulation;
- \$ Including the reticulation cost within lump sums for other capital works;
- \$ The authority decides the developer is required to provide it, it is then called reticulation;

This result is that the reticulation assets which are excluded are only the smallest and least expensive parts of the system.

The Water Servicing Authorities of Australia (WSAA) codes provide clear guidance as to the definition of "*reticulation systems*" as a type of infrastructure. These WSAA definitions should be referenced or quoted in the Guidelines and non-compliance should be addressed by DEUS. DEUS's failure to manage this element of the process is a general failure to act responsibly and in the public interest.

The inclusion of reticulation has not been an issue in most instances with metropolitan water supply authorities, operating under the IPaRT Guidelines.

Selection of major assets, their cost and timing of provision is not adequately addressed by the Guidelines. Only one out of four water authorities examined provided servicing strategy reports which outlined the selection process.

Further, the Guidelines recommend a 5 year planning horizon but registers DSPs with 20-30 year planning periods. This is unreasonable as the nexus to assets provided in 20 years time will be weak.

3.6 The Inclusion of Pre-1970 Assets in Regional DSP's

In the deliberations of the IPaRT Water Industry Forum, it was concluded that the valuation of all existing assets in water supply and sewerage service areas for inclusion in metropolitan DSP's at written down historical costs plus holding costs plus renewal costs less an adjustment for economic life was onerous and over-complicated. Current efficient replacement cost was agreed.

It was also agreed by the Forum that existing assets constructed after 1970 would be included in DSP's and valued at "new for old" prices.

Those existing system assets constructed prior to 1970 would be treated as "sunk" costs and would **not be included** in the DSP's.

The IPaRT Guidelines specifically state in Determination 9 – Section 4.6.2 that "*all assets commissioned prior to 1970 must be excluded from the calculation of developer charges*".

The DEUS Guidelines advocate the inclusion of pre-1970 assets in the calculation of headworks charges, in direct contravention of the IPaRT Guidelines.

Section 3.1.2 of the DEUS Guidelines states under "Existing Assets":

"Assets commissioned before 1970 are not included in the capital charge except water supply headworks system assets (e.g. a dam, weir, water treatment works, headworks pumping station and associated pipelines or tunnels), and sewerage major works (e.g. sewerage treatment works, effluent management works, major trunk sewers, major pumping stations and rising mains)."

This provision effectively invites regional water supply authorities to include any and all assets regardless of age, and to do so revalued as if these are a modern equivalent new asset valued at current replacement cost.

One council for example has included costs in its water DSP for headworks assets constructed in **1937**. The value of these venerable assets is included in the DSP at a value of **39.5 times** that of the original historic asset cost. The effect is to create a capital cost for new development, when it has not been a capital cost to the water authority for the past 50 years.

IPaRT decided to exclude these very old and "sunk" costs as they have stated, as it would not be efficient to include them.

3.7 The Valuation of Existing and New Assets

The IPaRT Guidelines state that developer charges should be levied only on the **efficient** costs of providing water supply and sewerage services to new development.

In Section 1.2 of the DEUS Guidelines, the need for inclusion of efficient costs is also stressed, but the valuation of assets is a major issue which has not been adequately addressed or policed by DEUS. While the NSW Reference Rate Manual for the Valuation of Water Supply, Sewerage and Stormwater Assets, which is maintained by DEUS, has been referenced in the DEUS Guidelines, it is not universally used in the preparation of DSP's.

In the case of Eurobodalla Shire Council sewerage DSP, it has been registered by DEUS containing contingencies and other add-ons which increase asset values by more than 50% above the NSW Reference Rates published and recommended by the Department.

The values are far beyond what may be regarded as "efficient" in IPaRT terms or "appropriate" as stated in the DEUS Guidelines. It seems that the Department has not reviewed these asset valuations, nor do they intend to.

Water supply authorities routinely refuse to provide information about the nature of their infrastructure, its planning or the basis of its cost.

DEUS's failure to manage this element of the process is a general failure to act responsibly in the public interest.

3.8 Demography and the Equivalent Tenement (ET) Count

The Guidelines provide scant and misleading advice about the determination of the number of ETs to be served by the capital works in the DSP. In Attachment 5 of the Guidelines, the only statistical advice is that ET should be determined for houses and flats by the water authority, on the basis of whether the pensioner rate is paid or not. This is not a relevant factor as only the level of service demand is relevant. For water that is litres per day or per annum, not income.

It is also recommended that vacant lots be included at 50% of an ET for the purpose of the DSP. This conflicts with the fact that 100% of the development charge is payable on each lot up front.

There is no guidance as to how water authorities might undertake a demographic analysis and thence determine the number of ETs. The IPaRT Guidelines require analysis using Department of Planning or ABS data.

At Bega Valley Council a gross failure to understand the demographic principles to be used to build a model to predict equivalent tenements (ETs) has resulted in the ETs being understated by 40%.

In part this is also caused by a lack of advice on how non-residential demand ought to be determined. Bega Valley Council have calculated that 17% of the total ETs are nonresidential, where as the DEUS Performance Comparisons for 2003-04 reported that 48% of the potable water was delivered to non-residential users.

The correct ET assessment is essential to determine when capacity is reached or how any of the smaller elements of the system should be apportioned. The incorrect assessment will result in very substantial amounts of interest being added to the charge, and the apportionment will also be incorrect.

3.9 The Agglomeration Process and its Cross Subsidies

The agglomeration process recommended by the Guidelines is a method used to calculate one charge of the entire LGA or large parts of it, by amalgamating some of the DSP catchments and the charges for them. It has no proper basis in statistical or financial management principles.

In addition both the IPaRT and DEUS Guidelines claim that one of their major purposes is to provide “pricing signals” to encourage rational urban development. Section 1.1 Paragraph 4 of the DEUS Guidelines states that *“it is important that charges should indicate relative costs of providing infrastructure for urban developments...to ensure that charges do not distort the form and sequence of development”*.

The agglomeration process effectively eliminates these signals. In Bega Valley for example, the sewerage charges which are agglomerated for sewerage range from \$3,241 to \$36,878 in the February 2006 Sewerage DSP. In effect the process added:

- 169% to the Eden capital charge
- 63% to the Merimbula/Pambula capital charge
- 28% to the Bega capital charge

Further in section 3.1 of the DEUS Guidelines the requirement to demonstrate “nexus” is noted. The agglomeration process recommended by the DEUS Guidelines negates this. Growth development areas have no proper nexus to the cost associated with backlog areas in particular.

The process of including backlog areas also effectively charges new development areas a cross subsidy for backlog costs.

Backlog areas should not be included in the DSP or should not be used to shift cost to new development.

Further an amendment to the Guidelines, which was made at the request of Bega Valley Council and their consultant, because the backlog areas did not fit the 2002 Guidelines criteria, should be withdrawn. This has allowed Council to adopt very large charges (about \$18,000 per lot).

3.10 The Reduction Amount (to eliminate the double dipping effect)

The reduction amount is the most manipulated part of the process. It relies upon two processes. One is a table being the Operational Statement of projected revenue and expenses derived from a financial modeling program called FIN MOD. The second is a model which calculates the net revenue offset or the reduction amount. It is illustrated in Tables 9.10 and 11 of Attachment 4 to the Guidelines.

The Department requires Councils to use FIN MOD if they wish to avail themselves of subsidy. It therefore used by many Councils. It is also a fact that many Councils also have their own financial models that they use for their actual financial planning purposes. The outcomes from each are different.

Three observations can be made:

- \$ It is obviously inefficient to use a model that water authorities have little regard for but have to incur the cost of maintaining it to get subsidy.
- \$ The model does not provide the same outcome as water authorities actual financial plans do, where separate systems are kept.
- \$ The FIN MOD model is run by the DSP consultant in many cases specifically for the purpose of iterating the reduction amount.

The Guideline table is called "Calculation of Developer Charges using the NPV of Annual Charges Method". To illustrate the manipulation that occurs a review of the calculations for Shoalhaven, and Bega are instructive.

Bega Water

BVSC

DSP version 1 – Nov 04	\$1187
DSP version 6 – Nov 05	\$546
DSP version 7 – Feb 06	\$1044

Bega Sewerage

BVSC

DSP version 1 – Nov 04	\$1995
DSP version 6 – Nov 05	\$919
DSP version 6 – Feb 06	\$967

Shoalhaven Water

SCC

Industry Consultant

April 05 DSP	\$0	\$960 (using FIN MOD data)
Oct 05 DSP	\$184	

Shoalhaven Sewerage

SCC

Industry Consultant

April 05 DSP	\$300	\$2630 (using SCC 20 yr financial model)
Oct 05 DSP	\$1021	

SUMMARY

The process of preparation, review and implementation of the DEUS Guidelines has been very unsatisfactory and has resulted in major increases in development charges which challenge viability of the housing industry and the cost of housing for the community.

Given that all local water authorities are gazetted as monopoly service providers under the IPaRT Act it is possible for the industry's concerns to be referred to IPaRT to conduct a public inquiry.

Given however, that the problems are so significant, a preferred approach would be to make the IPaRT Guidelines apply over all of NSW.

4.0 PRINCIPAL CRITICISMS OF THE IMPLEMENTATION OF THE DEUS GUIDELINES

4.1 Failure of Accountability and Transparency

The industry has consistently been restricted as to the information being supplied to enable any industry consultant to fully review the Development Servicing Plans.

In particular industry consultants have, by some LWAs, been denied access to various aspects of the digital data that supports the "calculations of the developer charges" (see Section 2.3.2 of the DEUS Guidelines). This includes digital copies in Excel or the like to enable DSP assumptions, asset cost, capacity, description etc as well as the calculations themselves.

Further, supporting documentation including servicing strategies, mapping of existing and proposed infrastructure, unit cost references, breakdown of major expenditures, description of assets, asset registers and asset capacities are essential.

Data and assumptions to support the demographic assessment of the projected population, dwellings and lots and the determination of equivalent tenements ("ETs"), is also withheld.

4.2 Asset Capacity to be used in Apportionment of Major Works

While it is agreed in principle in the DEUS Guidelines, the assessment of capacity of system assets is routinely manipulated by water supply authorities. The industry is content to rely upon the principles set out in the WSAA Code definitions, which are not comprehensive but do provide some appropriate guidance.

Design capacity for water supply systems in particular has varied significantly in recent years. For example, the capacity for reservoirs now used by MidCoast Water of 1,500 litres per ET per day is 37% of the NSW Department of Public Works' standard that applied in the 1980s, of 4,000 litres per ET per day. Other regional water supply authorities use higher levels than MidCoast without justification being given.

Asset capacities are rarely the same for similar major works between various regional DSP's. In the absence of proper guidance, water supply authorities use a myriad of figures without adequate explanation. Capacity terms such as "*nominal*", "*average*", "*peak*" and "*non-peak*" are used indiscriminately.

In Hastings for example local consultants have been making submissions concerning basic elements of design and demand which are core issues in the preparation of DSPs. For example while DEUS report average demand at less than 180 l/pa per residence the Council use 310 kl/pa per residence.

Hastings Council give only perfunctory attention to consultation and the writer can relate direct experience here. The opportunity to make presentations is limited to minutes and there is no right of reply after staff have routinely denied the points made. The clear and false assumption is that the power to make decisions is matched by unerring knowledge. This is not a unique experience when dealing with some LWAs.

The DEUS Guidelines do not provide adequate assistance to resolve the many baseline issues.

4.3 Demography/ETs as a Basis for Demand and Apportionment

As indicated above in point 3.8, water authorities share the responsibility for the poor demographic analyses which are prepared. Poor analyses are the result of a general failure to consider:

Population - generally ok by reference to ABS and the TPDC
Occupied dwellings - determined using ABS occupancy rates
Vacant dwellings - often generally left out
Vacant lots - almost always left out

Residential ETs - conversion to ETs is poor.

Non-residential ETs - usually grossly understated.

4.4 Errors in DSPs

The level of errors in DSPs is significant.

Bega Valley Council have moved through a further 6 versions due to errors discovered at each release. More are expected once good access to background material is obtained.

DSPs prepared by the Department of Commerce for MidCoast were not apportioned by capacity of the assets as required. As the Department would not provide the models in digital form MidCoast were forced to rebuild them to correct the errors.

There remains considerable scope for errors to be found relative to issues such as reticulation, demography and capacity.

4.5 ET Classifications

The method of applying the charge to developments other than standard residential development is to rely upon ET classifications. These vary significantly between authorities. The Technical Guidelines published by the Water Directorate in January 2005 provide little help as a number of their recommendations are unreasonable. This is particularly so in regard to retirement facilities including residences and nursing homes. Their method to merely sample those classifications used by water authorities in NSW is most unsatisfactory.

Their recommendation for self care retirement homes, for example, ignores the fact that the average occupancy for all over 65ers in or out of retirement villages is 1.4. Rates close to 0.4 would be more reasonable. This is also based upon analysis of 4 years water consumption for a major project. The Water Directorate recommendations would result in charges being between 50% and 100% more than is reasonable.

4.6 BASIX

No allowance has been made for the substantial reduction in water demand proposed by the introduction of BASIX for all new dwellings. A reduction of between 20% to 40% for each utility ought to be possible.

Given the considerable cost of BASIX compliance (about \$15,000 per dwelling) it is unconscionable that no relief is given to new development.

SUMMARY

There is a need for DEUS to take a stronger role in the process. As a first step a consultation process with stakeholders would be advisable to minimise the current high level of dispute.

Monitoring the DSPs is also required.

As there are a large number of inconsistencies, poor knowledge of the process, poor background data and poor understanding of issues such as demography, an education process is warranted.

CONCLUSION

The problems with the DEUS Guidelines and their implementation are significant. For the purpose of the Port Macquarie workshop it is proposed to bring forward local examples which illustrate the industry's concerns to assist the Tribunal to understand the affects, in addition to those examined in Central and Southern NSW.

Indeed there are so many problems, improvement of them will result in significant changes. The task may be worthwhile if it results in a single set of Guidelines for all MWAs and LWAs.

The Association has been concerned that there are two methods which apply to the calculation of development charges in NSW. One is generally fair while the other is not. There should be only one set of Guidelines and only that which accords with the IPaRT Determination principles.

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8 May 2007



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QUALIFICATIONS

Certificate of Competency 1966 (Board of Surveyors NSW)
Emeritus Surveyor 2001 (Board of Surveyors NSW)
Registered Land Agent (1927 Act)
Post Graduate Diploma in Financial Management (UNE 1981)

PROFESSIONAL ASSOCIATIONS

Honorary Member of the Association of Consulting Surveyors NSW Inc
Member of the Urban Development Institute of Australia (UDIA)
Member of the Environmental and Planning Law Association (EPLA)

EPAd AT NOWRA SINCE 2001

Current Areas of Interest, Expertise and Experience:

Development Contribution Investigations - facilities inc open space, drainage, roadworks, community facilities etc).
Development Charges - water and sewer charges in metropolitan and regional areas.
Project Management - development issue advice and advocacy.
Expert evidence in mediation, arbitration and the NSW Land and Environment Court.

PRIVATE PRACTICE in NOWRA and SYDNEY 1960 - 2001

Recent Areas of Interest, Expertise and Experience:

Management of Land Development (Rural & Urban)
Urban Design & Neighbourhood Planning
Planning Laws, Ordinances, LEP's and DCP's
Land Economy Surveying
Subdivision Development Analysis and Financial Assessment
S94 Contribution Plan/S64 Development Servicing Plan Assessments
Design Principles for Road/Drainage/Utility Services
Civil Engineering Contract Administration
Soil Testing/Quarry Materials for Road Works
Natural Resource Development
Shale/Basalt Quarries
Sand Mining/Dredging
Local Government Representations/Submissions/Negotiations
Land and Environment Court - Expert Witness in Land Development Matters
Computer Applications for Surveying, Engineering and Management

COMMISSIONS (investigations for private clients)

Numerous commissions in both regional and metropolitan NSW and Queensland for development contributions (s94) and development charges (s73 and s64) over the past 10 years.

OTHER

Numerous papers prepared and presented at various conferences. Service on a number of state committees for contributions and charges issues including preparation of guidelines.