

ORDINARY COUNCIL

MAYORAL MINUTE

Wednesday 13 October 2021

Ordinary Council Meeting

Wednesday, 13 October 2021

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LEGISLATIVE COUNCIL

21 September 2021

Port Macquarie-Hastings Council
PO Box 84
PORT MACQUARIE NSW 2444

Dear General Manager,

 PORT MACQUARIE HASTINGS	
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I am writing to let your Council know that in the NSW upper house, One Nation (myself and Rod Roberts MLC) will not be supporting the NSW Government's Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021.

We regard this Bill as poorly conceived, given the way in which it acts against the best interests of local government and community service provision in our State.

The Bill is flawed in the following critical ways:

1. The proposed Regional Infrastructure Contributions (RICs) are an invitation for government pork barreling and political favouritism, in a government notorious for pork barreling and the misallocation of resources. RICs will also likely lead to a reduction in general State Government effort on infrastructure spending - a cost shifting exercise.
2. The reforms shift the cost of infrastructure and service provision in growth areas from developers to ratepayers.
3. The question of local government rate reform should be considered separately from infrastructure contribution reform.
4. Developer contributions should be paid to Councils as quickly as possible, certainly at Construction Certificate stage rather than Occupation Certificate as proposed (and adopted during the current Covid period).
5. The RICs lack the benefits of hypothecation so that developers and residents paying them know there will be a direct community return.
6. There is no evidence that RICs developed for the inclusion of affordable housing and biodiversity funding will achieve their stated goals.
7. The Planning Minister should be required to make RIC plans, similar to the Section 7.11 plans required of Councils.

8. The new benchmarking of 'best practice infrastructure provision' does not take into account regional cost variations around NSW and will lead to a lowest-common-denominator approach imposed upon Councils.
9. Many Councils will be worse off financially under the Bill, given the fiscal overhang caused by the immediate loss of some developer contribution money but a slow 20-year build up in rating capacity in growth LGAs.
10. Local government servicing capacity should be strengthened by guaranteeing Section 7.12 contributions for State Significant Developments - a key oversight in the Bill.

As you can see, the Bill has little to commend it. The Government's consultation with upper house MPs has been poor, almost non-existent. Councils have also felt ignored in the process.

One Nation sees many reasons for opposing the Bill and we will vote against it when our Parliament resumes.

Can you please inform your Council of this information.

If there are other matters with which we can assist in your local government area, please let us know.

Yours sincerely,



The Hon. Mark Latham MLC
Member of the Legislative Council
Phone: 02 9230 3682
Email: mark.latham@parliament.nsw.gov.au

Linda Kocis

From: Cr Linda Scott - President LGNSW <lgnsw@lgnsw.org.au>
Sent: Tuesday, 12 October 2021 3:21 PM
To: Mayor Peta Pinson
Subject: CM: Say No to the Contributions Cash Grab

Record Number: D2021/311576

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**Help Campaign Against the Contributions Cash Grab**

Dear Cr Pinson,

Many thanks to everyone who has joined our state-wide campaign against the diversion of infrastructure contributions from councils to the NSW Government.

As you know, the Government's proposed amendments to planning rules look set to:

- Reduce the type of community infrastructure able to be funded by developer contributions, and
- Pour developer contributions into state government coffers, with no guarantees the money will be funnelled back into projects in local areas where the levies are collected.

In short, the rule changes essentially remove the right of councils and communities to support development in their area with the infrastructure they want and need.

You've told us the financial impact over a 10-year period is likely to range from \$3 million for a small council to more than \$1 billion for a large council – forcing councils to either forgo the infrastructure or raise rates.

But even more importantly, the *Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021* enabling these changes opens the door to future yet-to-be determined regulatory changes capable of impacting each and every council in NSW.

Let's be clear – this Bill allows any Minister or Government, current or future, to reach into contributions owed to Local Government, in any way. To say this doesn't impact all councils is fundamentally incorrect.

I know many of you have already passed a resolution opposing this move, and Local Government NSW has developed a Council Toolkit full of items to help you continue our fight.

Go to our [Say No To the Contributions Cash Grab website](#) and navigate via the tabs to our [Resources page](#), where you will find an updated Mayoral Minute and the Toolkit containing easily accessible graphic assets and videos designed to share via your social media and help galvanise your communities. There's a guide on shooting your own video message opposing the proposed rule changes, an e-petition, and a range of information that will help make our voice heard by each and every local MP.

We cannot let the Government cut communities and councils out of the picture.

We are the voice of our communities, and I thank you again for everything you do to ensure our voice is heard, loud and clear.

RESOLVE: Ensure your Council has considered the Mayoral Minute

SPEAK UP: Ensure your Council is authorised to share these materials on their social media and as part of community messages

SHARE: Share this video and other tools with your communities

MEET: Ask to meet your local State MP to voice your concern

Kind Regards,

Cr Linda Scott

President LGNSW

Questions?

Feel free to send us an enquiry regarding this member message.

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