

Confidentiality Requested: no

Submitted by a Planner: no

Disclosable Political Donation:

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Content:

Submission attached.

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Submission: Online Submission from company TfNSW (org_comments)

https://majorprojects.affinitylive.com/?action=view_activity&id=200438

Submission for Job: #8118

https://majorprojects.affinitylive.com/?action=view_job&id=8118

Site: #0

https://majorprojects.affinitylive.com/?action=view_site&id=0

Infrastructure State Environmental Planning Policy (SEPP) 2007.

State Environmental Planning Policy (Infrastructure) Amendment Review 2016

TfNSW Group Property comments:

TfNSW Group Property supports the proposed amendments under Schedule 15 Amendment of State Environmental Planning Policy (Infrastructure) 2007—railways.

However, TfNSW Group Property submits that the ISEPP should contain provisions for the relevant Public Authority to subdivide land and buildings in order to facilitate the effectiveness of the proposed amendments under clauses 81 Development permitted with consent and 82A Exempt development – any persons.

Often public transport related projects require the shared use of publically owned land in order to deliver proposed infrastructure, e.g. a multistorey commuter car park to be located on Council owned land currently used for short term, timed public parking.

The success of these types of projects relies upon the parties cooperating. In the case of a Council, providing the land component without direct financial compensation for land acquisition or use by the Public Authority proposing to deliver the new infrastructure.

Often these arrangements include the reinstatement of the pre-existing short term, timed car parking numbers (if applicable to the site) and maybe some form of retail or commercial activation on the ground floor of the new car park facility in lieu of financial payments to acquire either the land or a long term lease over the land from the Council.

These agreements are generally developed using this type of compensation model because the Council cannot sell the land, or doesn't want to sell the land.

The ability to subdivide the different uses within the transport facility as part of the proposed infrastructure project allows the parties to operate and maintain their individual occupied areas efficiently.

The subdivision process is currently cumbersome and requires a Part 4 approval from the Council, whilst at the same time, the overall project is delivered via ISEPP/Part 5 approval process - not including subdivision powers.

The inclusion of subdivision powers to Public Authorities in the ISEPP for these types of transport infrastructure projects provides certainty in respect of outcomes for pre-delivery negotiations and facilitates the successful completion of the project into the ownership and operation and maintenance phase.