# Item MAYORAL MINUTE – INFRASTRUCTURE CONTRIBUTIONS REFORMS

## Department

**Author**

Recommendation

That (Council):

1. Calls on the NSW Government to withdraw the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 (the Bill) from the NSW Parliament.
2. Calls on the NSW Government to undertake further consultation with the local government sector on any proposed reforms to the infrastructure contributions system.
3. Calls on the NSW Government to de-couple the Independent Pricing and Regulatory Tribunal led review of the rate peg to include population growth from the infrastructure contributions reforms.
4. Writes to the local State Member(s) <xxxxxx>, the Premier the Hon [Gladys Berejiklian MP,](https://www.facebook.com/gladysnsw) Treasurer the Hon Dominic Perrottet MP, Minister for Planning and Public Spaces the Hon Rob Stokes MP and Minister for Local Government the Hon Shelley Hancock MP seeking them to withdraw the Bill.
5. Writes to the Shadow Treasurer the Hon Daniel Mookhey MLC, Shadow Minister for Planning and Public Spaces Mr Paul Scully MP, Shadow Minister for Local Government Mr Greg Warren MP, The Greens Mr David Shoebridge MLC, Shooters, Fishers and Farmers Party the Hon Robert Borsak MLC, Pauline Hanson’s One Nation the Hon Mark Latham MLC, Animal Justice Party the Hon Emma Hurst MLC, Christian Democratic Party (Fred Nile Group) the Hon Fred Nile MLC, Independent Mr Justin Field, Portfolio Committee Chair The Greens Ms Cate Faehmann, Portfolio Committee Deputy Chair Animal Justice Party the Hon Mark Pearson MLC and Committee members Liberal Party the Hon Catherine Cusack MLC and the Hon Shayne Mallard MLC, The Nationals the Hon Ben Franklin MLC and Australian Labor Party the Hon Rose Jackson MLC and the Hon Adam Searle MLC seeking their support in securing the withdrawal of the Bill from the NSW Parliament and outlining council’s concerns with the Bill.
6. Alerts the local media to the threat of future ratepayer funds being expended rather than developer levies for new infrastructure brought about by increased development under the proposed legislation and shares and promotes these messages via its digital and social media channels and via its networks.
7. Affirms its support to LGNSW and requests LGNSW continue advocating on our behalf to protect local government from any amendments to infrastructure contributions which leaves councils and communities worse off.

## Report

I am calling on Councillors to support our local government sector’s campaign on infrastructure contributions reforms.

The NSW Government introduced the [Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021](https://www.parliament.nsw.gov.au/bills/Pages/bill-details.aspx?pk=3880) into Parliament on 22 June.

The Bill was subsequently referred on 24 June 2021 to the Upper House Portfolio Committee No. 7 – Planning and Environment for [inquiry](https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=2821) and [report](https://www.parliament.nsw.gov.au/lcdocs/inquiries/2821/Report%20No%209%20-%20PC%207%20-%20Environmental%20Planning%20and%20Assessment%20Amendment%20(Infrastructure%20Contributions)%20Bill%202021.pdf) by 10 August 2021.

Implementation of the reforms will have far reaching financial implications for our council and community.

These reforms may force our council to delay or completely remove projects from our expenditure plan with a detrimental impact not only on community wellbeing and participation in civic life, but also crucially on job creation.

*<Customise local information about potential impacts on Council’s plans and projects>*

Councils need to be in a position to deliver quality infrastructure and open spaces if they are to attract homebuyers, housing and commercial development and business investment and these reforms put this at risk.

Councils also object to the Government’s decision to tie reform of the rate peg to cater for population growth to reductions in infrastructure contributions. Reform of the rate peg is required independent of changes to contributions. This presents a concerning cost shift from developers onto local government and ratepayers.

It is premature to push forward with this legislation while so much of the infrastructure reform agenda remains unknown.

Local Government NSW (LGNSW) has been advocating this position on our behalf and has met with the Minister for Planning and Public Spaces the Hon Rob Stokes MP on several occasions to stress that councils and their communities must *not* be worse off under any reforms.

LGNSW has made a [submission](https://www.parliament.nsw.gov.au/lcdocs/submissions/73405/0098%20Local%20Government%20NSW.pdf) to the parliamentary inquiry, opposing the passage of the Bill, and on Friday 16 July LGNSW President Linda Scott spoke at the inquiry hearing alongside other local government representatives to present a united front on this issue.

LGNSW will continue its advocacy efforts on our behalf, including engagement with cross benchers and independents and is asking councils in NSW to add their voice in calling on the NSW Government to withdraw the Bill from the NSW Parliament.