

2nd December 2003

Review of Rental for Domestic Waterfront Tenancies in NSW
Independent Pricing and Regulatory Tribunal
PO Box Q 290, QVB Post Office NSW 1230

Dear Sir,

RE: (details deleted)

I have only recently become aware of the proposed review into the rental for waterfront tenancies in NSW. I certainly was not informed by the Waterways Authority. I find that the issue was advertised on 27th October 2003 and allowed only 6 weeks for any response. I submit that the relevant authority, Waterways, should write and alert the owners of all properties that currently lease such land and that a period of two months should be given from that date for a structured response.

In the absence of an extension I can make the following brief comments.

The relation of leased land to the adjoining property is tenuous

- the presence of a foreshore building line (some 15 metres from the high water mark) means that there is no way that any structure on the leased land can be linked with recreational facilities on the property
- by definition it is leased land and has a less secure tenure than my property. I note that the precedent in the paper refers to the "sale of remnant land" which of course creates tenure.
- Almost all of the leased land for the above site becomes a mudflat at low tide. This must diminish its value compared to other leased land which are either for recovered land or deep water.

I am confused by what the paper refers to as the SLV

- The valuation for my land includes the lease from Waterways (it is certainly included on the valuation notice) and I pay rates and taxes on this valuation. If the lease from Waterways is based on a such a valuation then it is double dipping
- The paper refers first to the adjoining precinct, which surely is my land, and then to the "the precinct SLV averages the SLVs for properties on each homogeneous stretch of foreshore". How on earth do you define "homogeneous". In my case I have a 1.83 m. easement running through the side which diminishes the relative value of my property. At the same time this easement delivers rubbish from Minimbah Road onto my land and onto the area leased from Waterways – how is that aspect taken into account?

The rent for my leased land in 1989 was \$200 and in 2003 it became \$918 plus GST and an increase of 359%. Over that time the CPI increased by 48%. I submit that these figures show that the value of the lease has indeed been fully considered over that period.

You will see from the above comments that I certainly have problems with the proposed formula for rent. At this stage I do not have an alternative proposal other than to assert that the current rent is quite adequate for Waterways.

I look forward to your response on my request for proper advice to all affected people and to an extension of time.

Yours faithfully

Dugald Cameron