

Media release



Friday, 14 June 2013

Have your say on plans to rectify Harbour oversight

The NSW Government today exhibited changes to resolve an oversight which has led to an inconsistent approach to the leasing of water-based structures in Sydney Harbour.

The government is currently allowing harbourside property owners to sign 20-year leases to use structures such as jetties, slipways and boathouses located over the seabed.

However, it's emerged that the drafting of planning regulations supporting this initiative didn't make it clear that one group of property owners who relied on 'continuing use' rights could be offered 20-year leases.

This was an oversight which is now proposed to be rectified.

In the case of Sydney Harbour, many water-based structures were authorised by the landowner (the NSW government) before construction but didn't require a planning approval because no planning regulations were in place.

The State's planning law states that structures with this history (and which are permitted under the current planning regulations) are completely lawful and are regarded as having 'continuing use' rights.

To date, about 80 waterfront landowners with 'continuing use' rights have paid for surveys with the aim of entering into 20-year leases.

The amendment will:

- Remove the need for property owners with 'continuing use' rights to renew a lease every few years;
- Create a more equitable and consistent approach for harbourside property owners
- Assist waterfront land owners, in particular commercial operators, with sufficient tenure to obtain financing to build and properly maintain facilities.

The amendment will be exhibited from Friday, June 14 to Friday, July 12, 2013.

Further information is available on the department's website at www.planning.nsw.gov.au

Media Contact: Mark Skelsey (02) 9228 6275 or 0439 931 098