

**Submission
No 200**

INQUIRY INTO DEVELOPMENT OF THE TRANSPORT ORIENTED DEVELOPMENT PROGRAM

Name: Mr James Deli

Date Received: 28 March 2024

Please accept this submission against the Upper House Terms of Reference and its consequences as they impact (o), the proposed "Diverse and Well-Located Homes process and program":

Part b) The probity measures put in place by the Government, the Premier's Department, The Cabinet Office and the Department:

There were few (if any) governance measures applied, with the process falling severely short of accepted probity and public interest (if not legal) standards. For example:

- DPFI inexplicably issued the document just prior to Christmas, with most of the consultation period consumed by school holidays, family events and religious celebrations, with the only real window for making comments being three weeks in February.
- The proposal was not advertised.
- DPFI refused to extend the closing date.
- It totally ignores the strong efforts of many councils and communities which have been carefully planning for the future, with many councils steadfastly complying with current targets through the expenditure of millions of dollars on studies, which, if the proposal is adopted, will amount to a scandalous waste of both taxpayer and ratepayer funds.
- It fails to recognise any environmental or heritage controls which are currently legislated through Local Environmental Plans..

Parts g) and h): Property disclosure requirements and management and the release of information prior to the official publication of the Transport Oriented Development Program policy: (NOTE: as these are intertwined I have combined them.)

- (i) A former developers' lobbyist is employed in the premier's office..
- (ii) The failure to publicise any discussions between the premier, planning minister or DPFI and TfNSW officials prior to the release of the proposal.
- (iii) The comment by the minister on 702ABC on 23rd February 2024 that the proposal "does not override a council's D.A. powers" clearly contradicts what has been clearly stated in DPFI's exhibited documents.
- (iv) Comments expressed by two extremely senior Labor figures (MP and an ex MP) on 22nd March 2024 that a flyer circulated by 'Friends of Oatley' (attached) was "inaccurate".

In closing I firmly believe that rigorous scrutiny by ICAC or the NSW Audit Office of all property transactions over the past 12 months (which have been completed or initiated by all MP's, ministers, their staff and all public servants (DPFI, TfNSW and others) who may have any knowledge of this matter) is absolutely necessary prior to this process proceeding any further.