

9 December 2021

IPart
PO Box K35
Haymarket NSW 1240

Dear Sir/Madam

Re: Review of the essential works list, nexus, efficient design and benchmarking cost for local infrastructure

I am writing in response to IPART's exhibition of the draft report on the Review of the essential works list, nexus, efficient design and benchmarking cost for local infrastructure. Council would like to raise the following issues:

1. Essential works list

Council does not support the removal of community facilities from the essential works list. The provision of community facilities is an essential infrastructure element necessary to cater for the social and recreational needs of an increasing residential population. It is recommended that community facilities be included in the essential works list.

While not explicitly stated in the report, Council would also object to the exclusion of works such as carparks from the essential works list. Council is currently exploring options to provide additional carparking for the Spit Junction/Mosman Junction town commercial centre and it is intended to prepare a Section 7.11 contributions plan to help fund the cost of this project. Carparking contributions would only be levied for new commercial development that increases the demand for parking but is not able to provide for such car parking on-site (a clear nexus). This is seen as a positive incentive for the orderly future development of commercial centres which should not be prevented by an inappropriately restrictive essential works list. Flexibility should be maintained to provide for the particular needs of a local government area.

The removal of the need to provide for community facilities under the contributions scheme would also severely limit the ability of councils to negotiate for the provision of community facilities as part of any future Planning agreements.

Further, it is understood that the Minister may revise the essential works list within 3 years. This is a concern as it creates uncertainty in the preparation of a contributions plan and the long term financial planning of necessary public infrastructure to cater for future growth. It is recommended that the essential works list should be left to individual councils to specify for their particular local circumstances.

2. Benchmarking

Council does not support the mandating of benchmarking costs for the provision of public infrastructure. Each infrastructure project is unique and requires site specific costings to reflect the particular circumstances of the project. For example, the topography and soil conditions of a site may present varying cost implications when compared to another site. Any costings for infrastructure projects can be adequately supported by the commissioning of a QS Report to provide the necessary validation.

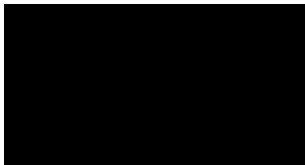
Further, the benchmarking of projects may not reflect the particular service levels expected to be provided by a council. Different areas have differing needs and councils should retain the flexibility to provide public infrastructure commensurate with community needs and expectations.

3. Section 7.12 Plans

It is noted that the proposed essential works list and benchmarking only apply to Section 7.11 Plans. Council would object to these provisions being carried over into Section 7.12 Plans as this would only make the administration of such plans overly complicated with no benefit. This would be contrary to the overall intention of the simplified 7.12 plan process.

Should you require further information on this matter, please contact Joe Vertel on [REDACTED]

Yours sincerely

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Craig Covich
DIRECTOR ENVIRONMENT AND PLANNING