

Your ref: 063557.2021

Our ref: IRF23/1676

The Hon John Ajaka  
Chief Executive Officer  
Liverpool City Council  
Locked Bag 7064  
LIVERPOOL BC NSW 1871

5 October 2023

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**Subject: Austral and Leppington North Contributions Plan 2021**

Dear Mr Ajaka

I am writing in relation to the 'Austral and Leppington North Contributions Plan 2021', which Liverpool City Council submitted to the Independent Pricing and Regulatory Tribunal (IPART) for assessment. IPART has completed its assessment and made 7 recommendations in relation to the Plan.

As nominee for the Minister for Planning and Public Spaces, I have considered IPART's recommendations and have accepted their recommendation in full or with amendment. Details of this are outlined in the attached table in the enclosed **Attachment A**, and includes minor amendments required prior to its implementation.

Once the amendments required by **Attachment A** have been made and the Council has finalised the plan, it will be considered as having met the requirements of being an IPART reviewed contributions plan within the meaning of clause 5(3) of the *Environmental Planning and Assessment (Local Infrastructure Contributions) Direction 2012*.

I would be grateful if you could advise the Department of Planning and Environment (the department) once the Council has completed this process, including evidence that the changes have been made, via email to [infrastructure.contributions@planning.nsw.gov.au](mailto:infrastructure.contributions@planning.nsw.gov.au).

If you have any questions in relation to this matter, please contact Ms Katrine O'Flaherty, Director Local Infrastructure Funding Policy at the department on 0436 679 085.

Yours sincerely,



**Amanda Fairley**  
Deputy Secretary  
Programs, Infrastructure and Digital

Attachment A:

IPART recommendation		Minister's nominee direction	Comments
1	<p>The stormwater strategy should be comprehensively reviewed within two years of the contributions plan becoming an 'IPART reviewed contributions plan' to consider:</p> <ul style="list-style-type: none"> <li>a) Safety and performance viability of the stormwater strategy.</li> <li>b) Changes to design standards.</li> <li>c) Concerns raised during IPART's consultation process.</li> <li>d) Actual performance data of infrastructure already delivered.</li> </ul>	<p><b>Recommendation accepted with amendment</b></p> <p>Liverpool Council should comprehensively review the stormwater strategy to consider:</p> <ul style="list-style-type: none"> <li>a) Safety and performance viability of the stormwater strategy.</li> <li>b) Changes to design standards.</li> <li>c) Concerns raised during IPART's consultation process.</li> <li>d) Actual performance data of infrastructure already delivered.</li> </ul>	<p>This recommendation is for advice only and does not require immediate action to amend the contributions plan.</p> <p>Any changes to costs in the Plan because of a future review must be further considered by IPART.</p>
2	<p>Adjustments to the strategy should be made based on the findings of the review.</p>	<p><b>Recommendation accepted as part of recommendation 1</b></p>	
3	<p>The LVI should only apply to the value of land not yet purchased, at the time the contributions plan is adopted. Any future reviews of the plan should revise the value of land not yet purchased to be indexed by the LVI.</p>	<p><b>Recommendation accepted with amendment</b></p> <p>Liverpool Council must ensure that the Land Value Index (LVI) only apply to the value of land not yet purchased, at the time the contributions plan is adopted.</p>	<p>Land that has been purchased should only be indexed by Consumer Price Index (CPI). Refer to page 30 of IPART's final report for additional information.</p> <p>Any future review of the plan must revise the value of land that has been purchased and ensure it is indexed by CPI.</p> <p>Any changes to costs in the Plan because of this review must be further considered by IPART.</p>

IPART recommendation	Minister's nominee direction	Comments
<p><b>4</b> Liverpool Council should comprehensively review all works costs in the ALN contributions plan within the next 2 years. The review should include:</p> <ul style="list-style-type: none"> <li>a) Any changes to the assumptions or strategies within the plan.</li> <li>b) Actual costs of delivering land and works within or near the precinct (where available).</li> <li>c) Site-specific estimates, recent benchmarks or other relevant sources.</li> </ul>	<p><b>Recommendation accepted with amendment</b> Liverpool Council should undertake a comprehensive review of all works costs in the ALN contributions plan. The review should include:</p> <ul style="list-style-type: none"> <li>a) Any changes to assumptions or strategies within the plan.</li> <li>b) Actual costs of delivering land and works within or near the precinct (where available).</li> <li>c) Site-specific estimates, recent benchmarks or other relevant sources.</li> </ul>	<p>This recommendation is advice only with no immediate action to amend the contributions plan required. Any changes to costs in the Plan because of this review must be further considered by IPART.</p>
<p><b>5</b> Following the review of the ALN contributions plan, Liverpool Council should submit the plan to IPART for assessment within 3 years from the date that this plan becomes an 'IPART reviewed contributions plan' within the meaning of the Minister's 2019 Direction.</p>	<p><b>Recommendation accepted with amendment</b> Liverpool Council should regularly review the contributions plan to ensure that development occurs as expected and that the infrastructure identified, and its costs, remain appropriate.</p>	<p>This recommendation is advice only with no immediate action to amend the contributions plan required. Any changes to costs in the Plan because of this review must be further considered by IPART.</p>
<p><b>6</b> Liverpool Council should explore the recommended options to increase open space provision to meet industry standards and internal benchmarks prior to future resubmission of the plan to IPART.</p>	<p><b>Recommendation accepted with amendment</b> Liverpool Council should assess whether open space provision in the precinct is appropriate to meet the needs of the community.</p>	<p>This recommendation is advice only with no immediate action to amend the contributions plan required. Any changes to costs in the Plan because of changes to open space provision must be further considered by IPART.</p>

IPART recommendation	Minister's nominee direction	Comments
<p>7 Liverpool Council should amend its 'monetary contributions rate' table currently in section 1.2.1 of the ALN contributions plan in line with Table 4.20 in IPART's final report.</p>	<p><b>Recommendation accepted with amendment</b>  Liverpool Council must review the monetary contribution rates table in section 1.2.1 of the contributions plan:</p> <ul style="list-style-type: none"> <li>a) Council must amend the contribution rates for road costs in line with Table 4.20 in IPART's final report.</li> <li>b) Council should consider other suggested changes in Table 4.20 in IPART's final report and determine any editorial amendments that are appropriate.</li> </ul>	<p>Part (a) of the recommendation corrects a minor rounding error and must be completed prior to the adoption of the plan. Part (b) of the recommendation is advice for council to review the other table amendments as suggested by IPART. If appropriate, council can make the changes prior to adoption of the plan. These amendments do not require further review by IPART</p>