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**Contact:** Ku-ring-gai Council

**Reference:** S12758 / 2025/051052  
20 February 2025

Independent Pricing and Regulatory Tribunal (IPART)  
[Bronwen.sandland@ipart.nsw.gov.au](mailto:Bronwen.sandland@ipart.nsw.gov.au)

Dear Bronwyn,

**Discussion Paper: Review of IPART's approach to assessing contributions plans and draft benchmark costs report**

Please find attached the submission by Ku-ring-gai Council in response to IPART's call for feedback on the Discussion paper: Review of IPART's approach to assessing contributions plans and the associated draft benchmark costs report.

This submission was reported to the Ordinary Meeting of Council held on 18 February 2025. In view of the extension of the deadline for submissions from Friday 7 February to Friday 21 February 2025, submission was held over until after formal council endorsement.

Ku-ring-gai Council appreciates that IPART is bound by the Essential Works List and no amendment to that list can arise from this process. However, it is important to take every opportunity to reiterate that the on-going omission of community facilities capital works as Essential Works that support intensive redevelopment, is incongruous and a serious omission in the provision of essential infrastructure supporting community integration in intensively densifying redeveloping areas.

In there are any further queries, please contact [REDACTED]

Regards

Enc: Submission [2025/037068](#)



## **Ku-ring-gai Council Response to IPART Discussion Paper – Review of IPART'S approach to assessing contributions plans**

Ku-ring-gai Council thanks the Independent Pricing and Regulatory Tribunal (IPART) for the opportunity to provide feedback on the Discussion Paper: Review of our approach to assessing contributions plans and associated draft benchmark costs.

Ku-ring-gai Council does not currently have an IPART reviewed contributions plan but foreshadows that this may be an essential outcome of a comprehensive review of the current \$7.11 contributions plan to be commenced in 2025 (subject to council endorsing this approach in a future meeting). In view of the extension of the deadline for submissions on this discussion paper until Friday 21 February 2025, Ku-ring-gai Council is now in a position to lodge its submission following the Ordinary Meeting of Council held on Tuesday 18 February 2025.

The Ku-ring-gai Council Local Government Area (LGA) contains four currently released Transport Orientated Development (TOD) areas around Roseville, Lindfield, Killara and Gordon stations, which are located in the southern half of the LGA. While council is undertaking its own planning for these areas, all of the alternative options council is evaluating (following our November-December 2024 community consultation programme) comprise comparable growth targets, being 23,200 dwellings - which translates to approximately 46,000 new residents at average occupancy rates for residential units - supported by feasibility testing.

To place this target in context, Ku-ring-gai Council currently has 126,983 residents (2023 ERP) and approximately 46,000 dwellings (2021 census) being 67:33 (houses to units), across the entire LGA (as distinct from the southern half of the LGA where all four of the TOD railway stations are located). This equates to an effective potential dwelling increase of 50% across the LGA but an effective doubling of the dwellings in the southern half of the LGA; and a prospective increase in population of about 36% over the current LGA-wide population, but to be concentrated in the southern half of the LGA.

This target represents a significant increase in density and population to be retrofitted into an established area with high land prices, recently raised even more by the development potential created by the TOD amendments. The delivery horizon for this growth is currently unclear and development delivery is likely to be disjointed, defined by where a developer is able to put together a contiguous redevelopment site.

## List of Issues for Stakeholder Comment

### 1. What do you think could be improved about how IPART assesses contributions plans?

Ku-ring-gai Council currently has no direct experience of the IPART assessment process. The multiple engagement and exhibition processes are not as clear as they might be, and it seems as if there could be opportunities for streamlining or undertaking concurrent engagement processes. Ku-ring-gai Council would be keen to work with IPART on the engagement processes to obtain the best value input on an efficient timeline.

In an established area, where there are fewer opportunities for direct delivery of infrastructure by the development industry as works-in-kind, it is challenging to both identify and to engage individual industry stakeholders active in the LGA.

### 2. Do you support using a suitable land value index to update land costs in your CP? Is there any other guidance about our assessment of land acquisition costs that would support your preparation of CPs?

Yes. Land costs are subject to different inflationary pressures compared to goods or materials or labour costs and any index or process should be directly relevant and stand up to comparative testing over time.

It would be most helpful for IPART to provide definitive advice on this matter. Ku-ring-gai's current s7.11 contributions plan was prepared using a valuation report into (then) current land values in each suburb where a local centre was targeted for uplift and land acquisition for new parks and, in some centres, link roads. These were updated quarterly by the Established House Price Index published by the ABS until this abruptly ceased publication without warning. Internal tracking showed that the EHPI performed well against actual acquisition costs, however that index is no longer available. Guidance concerning a reliable, as well as equally accurate, source of land inflation would be of assistance.

### 3. Do you support IPART using Urban Development Program growth forecasts as the agreed measure for population forecasts when assessing contribution plans?

Only as one aspect of forecasting, and to be given lower weight when other evidence prevails.

The Urban Development Programme (UDP) can be more reactive than proactive when it comes to upzoning in established areas. For example, the UDP is yet to be updated to include the four Ku-ring-gai TOD areas first announced in late 2023 and in effect since April 2024. The current (as of 3 February 2025) UDP 6-year housing supply forecast from 2023-24 to 2028-29 (updated on 28 October 2024) for Ku-ring-gai is 1,605 dwellings. As of late-January 2025 there are nine (9) State Significant Development Applications at the SEARS or EIS preparation stage listed on the Major Project website for sites in Ku-ring-gai. Of these, six provide estimates of potential dwelling yields totalling 1,021 prospective dwellings, and the remaining three are likely to yield around 250 more. As such, the combined estimate from those nine current SSDs is approximately 80% of the six-year target under the UDP. This figure does not include DAs and pre-DAs currently under discussion directly with council.

The Greater Sydney Commission was not able to issue dwelling targets for established areas such as Ku-ring-gai before it was disbanded. As such, it is difficult to see how prospective growth could have been quantified and included in the UDP prior to the substantial progression of formal strategic planning processes. These planning processes should inform the preparation and assessment of the s7.11 contributions plan as well as the amendments to the LEP (or SEPP) as it is desirable that these processes occur concurrently. The current version of

the UDP could not be considered adequate for the purposes of assessing a s7.11 review, as it may not be amended to include the foreshadowed growth in the current TOD areas until a later date, which would be too late to incorporate the funding required for the delivery of supporting infrastructure in the s7.11 contributions plan review.

#### **4. Do you have any feedback on our proposal to provide guidance to councils on our assessment of reasonable timeframes in CPs?**

Reasonable timeframes for infrastructure design and delivery, in terms of reasonable levels of future-proofing, will change relative to the type of infrastructure. In the case of new parks in high density areas, the quality of finishes must be enough to sustain intensive use from initial opening. Highly trafficked pedestrian areas, such as the access to railway stations and bus interchanges, must have durable surfaces.

Efficient design includes such considerations as:

- planning for climate change adaptability (water efficiency, shade coverage);
- allowing for tree girth to increase by concentric removable grids;
- facilitating porous surfaces on hard stand areas to minimise stormwater run-off;
- including larger stormwater detention capabilities to slow downstream run-off and to facilitate stormwater re-use for irrigation; and
- including turning phase arrows for future activation in new or upgraded signalised intersections.

#### **5. Do you have any feedback on our proposal to develop guidance on how we identify and assess the Practice Note criterion 'other relevant matters'?**

There should be guidance but by criteria rather than prescription, so as not to exclude meritorious emergent relevant matters that might arise in the future. For example, changes in how we address climate change may have an impact on best-practice design of infrastructure. There is also a concern that internal borrowings (which are encouraged for the efficient and timely delivery of infrastructure) may have to be repaid even if a category were to be removed from, or redefined within, the essential works list. Efficient use of the public domain may mean accommodating passive recreation uses as well as the movement of people, cycles and vehicles – which may contribute towards compensating for the unaffordability of acquiring adequate land for new urban parks.

#### **6. Are there any other areas of IPART's assessment of contributions plans that you would like guidance on?**

A list of expected supporting studies by type of infrastructure would be instructive to ensure that the suite of documentation is comprehensive at the early stages of drafting.

#### **7. Do you support our proposal for IPART to convene regular forums about our CP assessment process? Should these be separate forums for councils and developers?**

Yes, especially for councils who are yet to be involved in an IPART process. It is less clear if it would be productive to have multiple stakeholders in the same forums as it could limit the opportunity for open questions. In the case of brownfield development areas, it is more challenging to identify a broad range of active developers (as compared to a few of the larger firms which have been recently active) so developer forums would be more likely to engage industry representatives such as the UDIA or Property Council.

The \$20,000/\$30,000 cap was first issued in a Ministerial Direction in 2009 (that version later repealed and replaced but with the figures unchanged). While there have been many iterations of the Direction since, the maximum figure has not been inflated at any time over the last fifteen years. Land acquisition costs are not what they were in 2009 and construction costs have recently increased significantly. While the cap remains in place, and remains uninflated, more councils will tip into requiring an IPART assessment simply to deliver basic supporting infrastructure.

**8. Would you support IPART holding a stakeholder workshop on the CP when we receive the council's plan for assessment?**

Ku-ring-gai Council is keen to support a streamlined and time-efficient consultation process. It would be preferable to have a substantially complete draft of the contributions plan with any initial IPART feedback already incorporated, particularly for councils that are new to the process and for established area councils where opportunities for delivering infrastructure as works-in-kind are fairly limited. This would minimise the risks to the assessment timeframe of any need for repeated consultations and re-exhibition.

**9. Would you support IPART inviting submissions on the CP as soon as we receive the council's plan for assessment in addition to submissions on our draft reports?**

It is not fully clear to us how this relates to the council exhibition process. A council should reasonably be given an opportunity to address any issues arising in the initial draft submission in order to obtain maximum benefit from the consultation process and to minimise the risk of any need for re-exhibition, which could extend the timelines significantly. Seeking further input in a second round can also lead to consultation fatigue and be of limited additional benefit.

**10. Do you support a performance-based approach to assess nexus for open space, consistent with the Draft Greener Places Design Guide?**

Yes. With a performance-based approach existing urban parks will need to be of higher quality to support larger populations in a smaller footprint due to availability and affordability of land.

Council will need to balance land acquisition with the more intensive re-use of existing space as well as dual use of other pedestrian spaces such as footpaths. Notwithstanding, there is no escaping the inevitability that the quantum of local open space per capita is going to reduce significantly. The current s7.11 contributions plan provides for local parks in the redeveloping, densifying areas at a rate of 2.75sqm/capita (less than 10% of the 28.3sqm/capita of the industry standard), however it is unlikely that even this minimal rate of acquisition will be sustainable for the TOD areas. Residents of units have an even greater need for public parkland than residents of single dwelling houses due to reduced access to private open space.

**11. Do you have any feedback about the list of local infrastructure benchmarks? Are there any other infrastructure items that you think should be included?**

Ku-ring-gai council staff make the following comments on observed omissions from the benchmarks provided:

**T-1.20 – Concrete pathway / footpath / shareway/ cycleway**  
150mm thick trafficable concrete – not included.

**OSE – 1.02 – BBQ Area**  
Bin, bubbler - not included.

### **OSE – 1.24 – Playground / exercise equipment**

Very limited scope for equipment. Could include the following;

- Nature play inclusions
- Mulch softfall
- Sand softfall

### **OSE – 1.26 – Shade sail**

We would normally include geotechnical investigation as part of preliminaries for shade sail installation.

### **OSE-1.01 – Amenities Buildings**

Single building amenities provision is effective for a single field, however in reviewing the sub-items for a double field, the provision of a single additional toilet for both male and female is not practical as with the having only two change rooms as opposed to four change rooms. The rationale applied is flawed, given both playing fields both will be in use at the same time thereby doubling the number of users. Again, this demand also applies to a triple field (rare in the LGA), but this issue has arisen in Ku-ring-gai at the North Turramurra Recreation Area (NTRA).

### **OSE-1.02 – BBQ Area**

The provision of sink unit should not be excluded and should be included as a minimum requirement.

### **OSE-1.09 – Playing Fields**

The minimum standard for the industry is to include irrigation, detention tank for recycling. Pricing again is underestimated at the Base Sand Carpet Profile to \$75per/sqm @ 17,200sqm (Soccer) = \$1,290,000. The benchmarks costs show a figure of \$1,054,680

### **OSE-1.31 – Synthetic playing surfaces**

Drainage is again excluded but that is required to ensure proper management and long-term operations. This is a minimum for any new build as it is a fundamental part of the field construction that addresses environmental issues such as microplastics.

### **General Comments**

The IPART Benchmarks are missing a number of key items including:

- Provision of standalone storage facilities
- Athletic tracks, including long jump, shot put cages and associated items
- Skate Park – of various sizes
- Water Play
- Pump tracks
- Furniture – bins, bubblers, bike racks and signage are not included within open space infrastructure items.

### **Dual use of civic spaces and the public domain**

With a move towards quality urban parks away from traditional turfed open space, more street furniture needs to be included, along with infrastructure suitable for infill development including rooftops and civic spaces over underground car parking. Strata vaults for trees, tree guards, podium planting, balustrades, porous paving, digital interface furniture e.g. charging stations, and public art.

## **12. Do you have any feedback about the updated draft individual infrastructure benchmarks?**

Ku-ring-gai council staff make the following comments on content from the benchmarks provided:

### **Contingency rates**

Section 5.2.9 recommends contingency rates for various phases of projects. It is our view that 10%-15% contingency for the planning phase of projects is significantly low. In our recent experience, design consultants have adopted 30% contingency at the early stages of planning and concept design of projects, and this should be the minimum contingency for this stage given the level of risk and degree of uncertainty at this point in the design process.

In reviewing the source document - *Genus Advisory, IPART Benchmark Costs for Local Infrastructure, 12 November 2024, p 14*, it is apparent that the contingencies are added dependent on where the project sits, i.e. if we are at the planning phase of a Transport project 40% contingency is added. We suggest the comment should be that Open Space Embellishment Contingency is still considered low and should be at least in line with Stormwater if not Transport projects.

### **Raised pedestrian crossings and Speed humps**

For Local Infrastructure Item Reference: T-1.29 (Pedestrian crossing), the draft Benchmark document states that a flat top road hump is a separate item (item 1.9.1) however mention of item 1.9.1 or a flat top road hump cannot be found elsewhere in the draft Benchmark document or the Discussion Paper. As a raised/flat top road hump pedestrian crossing is effectively the Transport for NSW standard for pedestrian crossings, item 1.9.1 should be clarified/detailed, or better still, a standalone benchmark rate for a raised pedestrian crossing should also be provided. As with any new pedestrian crossing that is retrofitted, existing lighting is unlikely to be adequate and allowance for lighting installation/upgrade also should be a standard inclusion. Depending on the location and nearby infrastructure, new/upgraded lighting at pedestrian crossings could add \$40-\$60,000 to the cost of a pedestrian crossing installation.

## **13. Do you have any feedback on our proposal to adopt the updated draft benchmarks for individual local infrastructure items?**

While benchmarks are a useful tool, both for plan preparation and plan assessment, it must be open for a council to make a case for variations based on direct experience of delivery.

Simply applying historical standards and benchmarks to determine needs will not address the unique issues facing metropolitan areas like the Ku-ring-gai LGA. As identified in the Open Space and Recreation Needs Study, assessment for parks and recreation facilities provision, both land acquisition and embellishment, should be based on a range of indicators including population growth and change, strategic context, best-practice, innovation, changing participation trends, community engagement, tailored open space classifications, and population and proximity-based benchmarking.

## **14. Would our updated individual infrastructure benchmarks be useful to you in preparing your contributions plan, particularly at an early stage?**

Ku-ring-gai Council staff anticipate utilising the published benchmarks in the plan preparation stages and welcome the present opportunity to provide feedback – building on the feedback we provided in 2021 and, along with a number of other similar established area councils, in an online forum following that consultation process. Ku-ring-gai Council reserves the potential to make a case for variations where our direct experience supports such a case.

**15. Do you have any feedback about the draft aggregate benchmarks?**

The key issues with the current draft version have been covered in our responses to Questions 11 and 12.

Aggregate costs are generally impractical to apply to most works that need to be retrofitted into an established area. It is doubtful whether a Net Developable Area could be clearly defined for a redeveloping area based on varying feasibility and the presence of existing infrastructure which may or may not be fit for future demands.

Ku-ring-gai Council does estimate its own aggregated cost for the embellishment of an average new park of approximately 3000sqm in size inclusive of the key elements (which are itemised in the initial estimate) to derive a reasonable budget for the future delivery of the local parks. The actual design for each park will be refined at the time of delivery with community consultation.

Aggregate costs for the delivery of roads and stormwater are likely to be more challenging due to the unique topography in Ku-ring-gai. The most intensive redevelopment is taking place – and will continue to be concentrated – alongside the heavy rail line which runs along the top of a ridgeline. Most of the redevelopment areas slope downhill on both sides of this ridgeline, in some places, quite steeply.

**16. Do you have any feedback on using the draft aggregate benchmarks to assess reasonable costs in a CP?**

The benchmarks are a useful point of reference, however, if a council can make a clear case for refinement, or a different approach, the case should be able to be assessed on its merits.

For example, in an established area experiencing intensive densification and with very high land costs per square metre, every square centimetre of land for a new park must be designed to maximise intensive use for a variety of ages groups and activities. This means durable surfaces, half courts, dual use of paths & children's bike tracks, selective planting and fencing to divide active/passive usage areas. Additionally, the areas that are redeveloping are often steeply sloping meaning that significant changes of level and crossfalls need to be accommodated in open spaces, streets and footpath areas, by way of terraces, retaining walls, ramps and steps.

**17. Do you have feedback on the methodology used to develop the draft aggregate benchmarks?**

Genus Advisory (GA) has identified a number of constraints for Infill sites; however, it does not list heritage including potential archaeology, nor does it adequately assess environmental constraints that can and do impact infill development within heritage conservation areas or sites that have environmental significance. By way of example, significant heritage works have been undertaken in every redevelopment in Parramatta centre.

**18. Would you be willing to provide work schedules or other relevant information to us to support the development of our aggregate benchmarks?**

This possibility can be the subject of further discussion but should not be taken to be a commitment to provide actual costs for any given project at this point in time.