



**LEGACYPROPERTY**

4 June 2024

IPART

Via online submission

Attention: Scott Chapman

**Draft Report – Review of Orchard Hills North Contributions Plan 2022**

Legacy Property is pleased to make a submission on the Draft Report for Review of Penrith City Council's Orchard Hills North Contributions Plan 2022.

Legacy Property is the largest developer within the Orchard Hills North precinct and worked closely with Penrith City Council in the preparation of the Contributions Plans. We expect to deliver a significant portion of the Contributions Plan items under a Voluntary Planning Agreement with Council.

While Legacy has no fundamental objection to any of the recommendations proposed in the Draft Report, we note that the recommendations result in an approximately 6% increase in the proposed contribution rates. We query whether this is an appropriate and desirable policy outcome given the NSW Government's significant focus on housing supply and affordability challenges.

Our response and comments on IPART's recommendations are provided in the attachment.

Legacy has not provided comments in this submission on those items where IPART is seeking comment, however we have maintained close dialogue with Penrith City Council and provided further information and clarifications to assist Council in providing responses to IPART.

Please feel free to contact me on [REDACTED] or via email at [REDACTED] should you wish to discuss our submission further.

Yours sincerely,

**Mike Williams**  
**Head of Strategy & Acquisitions**

**Attachment: Legacy Property Response to IPART Recommendations**

Recommendation	Legacy Position	Comments
1. Ensure that only open space embellishments that are consistent with the essential works list are included in the plan. This means the plan should not include any public art or skate parks that are inconsistent with the essential works list.	Support	It is Legacy's view that the items referenced in the Open Space Strategy are aspirational design outcomes that do not align with the essential works list and are not reflected in the currently forecast costs.
2. Update the cost of plan administration to be 1.5% of the revised total works costs.	Support	This recommendation is appropriate to maintain the adopted 1.5% on the revised costs.
3. Use the following contingency allowances: a) 20% for stormwater works b) 30% for transport works c) 20% for open space embellishment works.	No objection	Legacy does not necessarily support increased contingency allowances given the resulting increase to overall contribution rates, within the broader context of the State Government's focus on housing supply and affordability.  At the same time, we have no objection to the recommendation based on the referenced IPART benchmarks.
4. Adjust the work schedule to correct for the: a) underestimate of the apportionment of non-residential stormwater costs b) underestimate of residential open space land costs c) underestimate of residential and non-residential plan administration costs d) underestimate of residential total transport works costs e) overestimate of residential costs through transport works item EW1.	Support	These are appropriate adjustment to correct minor errors or inconsistencies in the Contributions Plan.
5. Include indicative timing for the delivery of each individual infrastructure item in the work schedule for the plan.	Support	Legacy supports providing an indicative delivery time for each individual item in the interests of transparency and certainty. We have provided our input on proposed timing to Penrith City Council