

## ITEM 2

## POST EXHIBITION - DRAFT WEST DAPTO DEVELOPMENT CONTRIBUTIONS PLAN 2024

The West Dapto Development Contributions Plan 2020 (2020 Plan) came into force on 14 December 2020 following review by the Independent Pricing and Regulatory Tribunal of New South Wales (IPART) and advice from the (then) Minister for Planning and Public Spaces.

On 30 October 2023, Council resolved to endorse the draft West Dapto Development Contributions Plan, 2024 (draft 2024 Plan) for exhibition for a minimum period of 28 days. The draft 2024 Plan was exhibited between 6 November and 4 December 2023.

This report provides the staff response to the exhibition submissions and seeks Council endorsement to lodge the draft 2024 Plan, submissions received during public exhibition and Council's proposed amendments to the draft 2024 Plan to IPART for review.

### RECOMMENDATION

- 1 The summary of issues raised during public exhibition be noted.
- 2 The draft West Dapto Development Contributions Plan 2024, as exhibited, be endorsed for submission to the Independent Pricing and Regulatory Tribunal (IPART) for review and that IPART be asked to consider staff proposed changes to the draft contributions plan as summarised in the Proposal section of this report and Attachment 2.
- 3 Council note that the outcome of the IPART review will be in the form of recommendations to the NSW Minister for Planning and Public Spaces.
- 4 That a report be presented back to Council with IPART recommendations and NSW Minister for Planning and Public Spaces direction in relation to adoption of the West Dapto Development Contributions Plan 2024.

### REPORT AUTHORISATIONS

Report of: Chris Stewart, Manager City Strategy

Authorised by: Linda Davis, Director Planning + Environment - Future City + Neighbourhoods

### ATTACHMENTS

- 1 Staff Response to Submissions
- 2 Proposed 2024 Plan Amendment subject to IPART Review
- 3 Letter from Department of Planning, Housing & Infrastructure regarding draft West Dapto Contributions Plan 2024
- 4 Western Ring Road and Northcliffe Drive Extension Transport Infrastructure Items

### BACKGROUND

Section 7.11 of the *Environmental Planning and Assessment Act 1979* (Act) establishes that a consent authority can require contributions where development will or is likely to require the provision of or increase the demand for public amenities and public services within the area.

A section 7.11 development contributions plan for the West Dapto Urban Release Area (WDURA) commenced on 23 December 2010 and has been updated in 2011, 2015, 2017 and 2020.

#### West Dapto Development Contributions Plan 2020

On 7 December 2020, Council adopted the 2020 Plan, which came into force 14 December 2020. The 2020 Plan is available on Council's website at

[https://www.wollongong.nsw.gov.au/data/assets/pdf\\_file/0017/122372/West-Dapto-Development-Contributions-Plan-2020.PDF](https://www.wollongong.nsw.gov.au/data/assets/pdf_file/0017/122372/West-Dapto-Development-Contributions-Plan-2020.PDF)

Given the proposed contribution rates of the 2020 Plan surpassed the State imposed \$30,000 per dwelling contributions cap, the draft 2020 Plan was subject to IPART review.

On 15 May 2020, IPART released the Assessment of the draft West Dapto Development Contributions Plan 2020 Final Report (IPART Final Report) and made 24 recommendations for the draft 2020 Plan.

IPART submitted the Final Report to the then Minister for Planning and Public Spaces (Minister) for consideration and to allow the Minister to provide direction to Council. IPART's final report and all information regarding their assessment is available on their website at

<https://www.ipart.nsw.gov.au/Home/Industries/Local-Government/Reviews/Contributions-Plan/Review-of-Wollongong-City-Councils-Contributions-Plan-West-Dapto?qDh=0>

The (then) Department of Planning, Industry & Environment (DPIE), as the Minister's nominee, considered IPART's Final Report. On 23 September 2020, the Minister's nominee provided direction to Council. The Minister's nominee agreed with 23 out of the total 24 recommendations made by IPART. The draft 2020 Plan was subsequently updated by Council in accordance with the Minister's nominee direction.

At the time of adoption, the 2020 Plan included over \$950M of infrastructure works and land acquisition for social infrastructure (community facilities land and open space and recreation), transport and traffic, stormwater management and administration. The costs were apportioned to both residential and non-residential development.

### **Residential Development**

The standard residential contributions rate in the 2020 Plan, when adopted, was \$51,428.10 per dwelling. The contribution rates are indexed every quarter of the year. The current indexed rate under the 2020 Plan is \$61,157.76 per dwelling.

Since 2011, Council has collected approximately \$74M in residential contributions from approval of Development Applications to create more than 2,750 subdivided lots for residential development. The total amount of contributions Council is set to receive from Development Applications already approved and Development Applications under assessment would amount to approximately \$160M.

Council has entered into three Planning Agreements and has accepted several infrastructure items as Works-in-Kind where infrastructure identified in the Contributions Plan has been provided by a developer and offset against the monetary contributions payable.

### **Commercial and Industrial Development**

The standard industrial contributions rate in the 2020 Plan, when adopted, was \$126,513 per hectare and commercial rate was \$371,189 per hectare when adopted. The contribution rates are indexed every quarter of the year. The current indexed rate under the 2020 Plan is \$150,448 per hectare for industrial and \$441,414 per hectare for commercial.

Since 2011, Council has also collected approximately \$6.5M in commercial and industrial development contributions.

### **Draft West Dapto Development Contributions Plan, 2024**

On 30 October 2023, Council resolved that the draft 2024 Plan be endorsed for public exhibition for a minimum period of 28 days.

A copy of the 30 October 2023 Council report is available on Council's website at: [Agenda of Ordinary Meeting of Council - Monday, 30 October 2023 \(nsw.gov.au\)](#)

The draft 2024 Plan was exhibited between 6 November and 4 December 2023. Late submissions were accepted up until the end of December 2023.

A total of 28 submissions were received. Submissions were received from -

- State agencies -
  - Transport for NSW.
  - School Infrastructure NSW.
- Peak Organisations -
  - Property Council of Australia (PCA) – Illawarra.
  - Urban Development Institute of Australia (UDIA) – Illawarra.
  - Regional Development Australia (RDA) – Illawarra.

- Community groups -
  - Illawarra Bicycle User Group.
- Developers and their consultants (15 submissions).
- Community members (7 submissions).

The main themes raised in submissions included -

- Request for removal of the Western Ring Road (including the Northcliffe Drive Extension) valued at \$450M from the 2024 Plan. Submitters requested the Road be included by the State Government in a regional infrastructure program.
- Concern with infrastructure cost increase and impact on development feasibility. Specific concern also raised regarding transport and open space cost increases. There were also requests to limit the scope of infrastructure to minimum requirements. Use of bridges was a specific area of concern.
- Specific requests for exemption from contributions were proposed such as schools.
- Land Values. Rates of land value for specific land parcels and Council staff proposed indexation approach has been questioned.
- Split catchment approach to contributions requested.
- Rail crossings safety and need for road overpass (Northcliffe Drive Extension).
- The number of parks, land area and cost of Open Space provision has been questioned.
- Stormwater related to drainage infrastructure and flooding in relation to infrastructure design and yield impact assumptions were raised.
- Community Facility CF05 as a sub-district facility has been questioned in the context of neighbouring community facilities such as those planned for Calderwood.
- Essential Works List, specifically lack of Childcare facilities funding.
- Increased in Commercial development contributions questioned.
- Housing density and residential land reduction.
- The relationship of West Dapto Contributions Plan infrastructure items to Calderwood development.
- Support for shared use paths and bridges.
- Other individual matters and edits.

## PROPOSAL

Council staff propose to lodge an application with IPART to review the draft 2024 Plan. The IPART application will be lodged as a package which includes -

- A copy of submissions received during public exhibition of the draft 2024 Plan.
- A detailed response to submissions by Council staff (Attachment 1).
- Proposed 2024 Plan Amendments subject to IPART Review (Attachment 2).
- A copy of this Council report and Council minutes which outlines the proposed approach for possible amends to the Contributions Plan subject to IPART review.

## Council Staff Response to Submissions

A detailed staff response to submissions is provided at Attachment 1. A summary staff response to the major themes raised in submissions as follows -

Issue	Staff Response	Proposed 2024 Plan amendment subject to IPART Review	2024 Plan Cost and Contribution Rate Impact
Request removal of Western Ring Road from the 2024 Plan	<p>It is the preference of Council staff that all components of the Western Ring Road (see Attachment 4) including Northcliffe Drive Extension become State funded infrastructure and that these items be removed from the West Dapto Development Contributions Plan.</p> <p>Correspondence from DPHI (see Attachment 3) has been received in relation to this request.</p> <p>Commitment from the State to fund and deliver the infrastructure is required to support its removal of the from the Plan.</p>	Council staff propose removal of this road following commitment from the State to deliver and fund the infrastructure item.	<p>It is noted that removal of Western Ring Road from the 2024 Plan will reduce the total cost of infrastructure by \$450M which is approximately a \$23,000 reduction in the per lot / dwelling contributions rate.</p> <p>Additional reductions in the per hectare rate for industrial and commercial development is also expected.</p>
Concern with infrastructure scope or cost increase, request for reasonable contingency and on cost assumptions and suggestion to restrict scopes to minimum requirements or expand to include additional infrastructure.	<p>Council staff acknowledge cost challenges faced by industry and housing affordability issues faced by community. The draft 2024 Plan rates are considered appropriate to meet the cost of local infrastructure without increasing the burden on the broader community via use of Council general revenue, including rates.</p> <p>Council staff are also satisfied that the scope assumptions for infrastructure at West Dapto are justified, have direct demand relationship to West Dapto and reflect the constrained context of West Dapto. Council staff welcome independent review of the draft 2024 Plan by IPART.</p> <p>Some additional infrastructure items have been requested in submissions. Council staff support inclusion of some additional items following review of submissions due to the direct demand related to the release area development. Specific details are provided in Attachment 1.</p>	<p>Costing approach proposed to remain generally unchanged for majority of infrastructure items.</p> <p>Inclusion of an additional length 354m of new road is proposed in Stage 1 of WDURA. This road directly adjoins an open space item (OS02) and will connect two residential parcels of land.</p> <p>Inclusion of one additional bridge is proposed in Stage 5 of WDURA. This bridge facilitates flood reliable transport connection between two neighbourhood plan areas (namely Duck Creek Marshall Vale and Woodville).</p> <p>Council staff seek confirmation from IPART as to if contemporary cost estimates for</p>	Increase the cost of the 2024 Plan, subject to IPART review.

Issue	Staff Response	Proposed 2024 Plan amendment subject to IPART Review	2024 Plan Cost and Contribution Rate Impact
		infrastructure (completed after exhibition of the draft 2024 Plan) can be integrated into the finalised Plan. This would include, for example 50% Concept Design for Yallah Marshall Mount Roads.	
Request for contributions exemptions such as School sites. Support for Council proposed affordable, accessible, and emergency housing exemptions.	Public and Private Schools are not listed as a development type requiring payment of development contributions and are therefore not levied.	Exemptions proposed to remain as exhibited.	No impact.
Land Values. Underlying zone assumptions have been questioned as basis for land value determination	Council staff have reviewed the specific requests as addressed in detail in Attachment 1. Some land value changes are recommended for IPART consideration as a result.	No change proposed , however Council's preference if to request IPART to consider use of actual acquisition costs where available.	Yes. Change to land values would be reflected in the infrastructure tables in the schedules of the 2024 Plan and overall infrastructure cost and contribution rates.
Land Value Indexation. Use of the Valuer General land valuation process to develop a Land Value Index is raised as an outstanding recommendation from the 2020 IPART review.	Council's proposed approach to land value indexation using a 5 year Valuer General average approach to be indexed prior to adoption of the 2024 Plan is considered reasonable and staff welcome IPART's review.	No change proposed	No.

Issue	Staff Response	Proposed 2024 Plan amendment subject to IPART Review	2024 Plan Cost and Contribution Rate Impact
Split catchment approach to contributions.	Council staff considered a split catchment approach in detail during preparation of the 2020 Plan and again as part of this review of submissions. Staff note that during the past two reviews of the Contributions Plan there have been requests to consider split catchment approaches. This has varied from Stages 1-3 and 4-5 to stages 1-4 and 5 in isolation. Council staff maintain that a single catchment approach is still the most appropriate approach.	No change proposed	No.
Rail crossings safety and need for overpass (Northcliffe Drive Extension).	Council staff are supportive of the need for timely investment by the State Government in delivery of the Northcliffe Dr Extension (NDE) major bridge crossing of the Princes Hwy and Southern Railway line. Delivery of the NDE will address safety concerns at the West Dapto Road / Princes Hwy level crossing as well as providing flood reliable access.	No change apart from removal of all NDE components (which form part of the Western Ring Road) from the 2024 Plan subject to State Government commitment and IPART review as mentioned above.	Cost reduction associated with NDE as referred to in regard to the Western Ring Road removal mentioned above.
Request for Council to improve flood mapping to ensure awareness. Concern raised regarding the development yield impact of the 2023 adopted Mullet Ck Floodplain Risk Management Study and Plan (FRMSP)	The 2023 Mullet Creek FRMSP is based on the latest national flood modelling approaches.  Council's current flood development controls prevent any intensification of high flood risk areas and floodways with development and provide specific guidance on developing within suitable flood prone areas.	No change proposed	No

Issue	Staff Response	Proposed 2024 Plan amendment subject to IPART Review	2024 Plan Cost and Contribution Rate Impact
Open Space provision and cost questioned. This includes concern with the increase area of land and embellishment costs.	Open Space and Community Facilities have been updated and informed by the Council adopted 2023 West Dapto Social Infrastructure Needs Assessment (SINA). The SINA addressed IPART, 2020 recommendations 13 and 14. This has resulted in an increase in the land area required for open space and resulted in increased embellishment cost as previous costings were based on 2007 SINA work.	No change proposed	No
Essential Works List, specifically lack of Childcare facilities funding.	Planning for childcare facilities remains important for West Dapto. DPHI publishes an “Essential Works List” that outlines what infrastructure Council can collect for. Council can only collect contributions for the land component of community facilities. Childcare facilities are not listed and are not provided by Council. Council has previously, and will continue to, advocate for delivery of Community Facilities in the essential works list.	No change proposed.	No impact.
Concern raised regarding increase in Commercial Development contributions.	The cost challenges faced by the development industry is acknowledged and the viability issues faced with commercial development. The draft 2024 Plan rates are required to meet the cost of local infrastructure without increasing the burden on LGA wide rate payers. Council staff have provided more costings information to parties on request and have accepted late submissions to allow time for consideration of those costings. Council staff welcome an independent review by IPART.	No change proposed.	No impact.



Issue	Staff Response	Proposed 2024 Plan amendment subject to IPART Review	2024 Plan Cost and Contribution Rate Impact
<p>Housing density and residential land reduction concern raised. Impact on development forecasting.</p>	<p>The majority of the reduction in residential land reflects an adjustment made between the 2020 and draft 2024 Contributions Plan to remove a previous reliance on 251.41 Ha of C3 Environmental Management land for urban residential outcomes. The submission assumption that 326.1 Ha of reduced residential land would result in a loss of 4,900 dwellings is not accurate (3,771.15 of those assumed dwellings lost would rely on the development of 251.41 Ha of C3 Environmental Management zoned land). In 2020 the 251.41 Ha of C3 zoned land was assumed to yield 16 dwellings only. Therefore, the total reduction in yield is substantially less when relying on a crude 15 dwellings / ha rate. Council staff are encouraging increased housing variety and density throughout the R2 and R3 zoned land of the release area.</p> <p>Following review of development forecasts Council staff propose to seek IPART support for use of population thresholds trigger as the indication of when the items listed in the draft 20254 Plan are needed. This approach will be detailed in the IPART application.</p> <p>The total number of dwellings in stage 5 has been underestimated in the draft 2024 Plan and should be 4,264. This has resulted from incorrect dwelling density assumption for a R3 zoned portion of land in Stage 5.</p>	<p>Council staff propose to seek IPART support to use population threshold triggers as the indication of when infrastructure items under the Plan are needed. This approach will be detailed in the IPART application and will apply for open space and community facility items.</p> <p>This approach would also require review of the residential development dwelling and population assumptions in the 2024 Plan.</p> <p>Amend the draft 2024 Plan to include the revised dwelling yield assumption in Stage 5.</p>	<p>An overall increase in the total population and number of dwellings is expected.</p> <p>Reduction in development contributions rates expected to occur.</p>



Issue	Staff Response	Proposed 2024 Plan amendment subject to IPART Review	2024 Plan Cost and Contribution Rate Impact
Calderwood development relationship to the 2024 Plan questioned including nexus.	Council staff consider the nexus between Calderwood development and West Dapto to be accurately reflected in the draft 2024 Plan. Staff will continue to liaise with Calderwood developer/s and Shellharbour Council as required.	No change proposed	No.
Concern was raised that Council intends to 'claw back' contributions deficit from previous development, including Calderwood.	The 2020 Plan and draft 2024 Plan have been prepared to reduce additional shortfall not 'claw back' previous shortfalls.	No change proposed	No.
Community Facilities, particularly CF05 sub-district facility status questioned.	As detailed in Attachment 1, Council staff recommend CF05 is amended from the sub district scale in the 2024 Plan to a local scale facility, for consideration by IPART.	Yes. Change in function of CF05 from sub-district to local resulting in description change.	Yes. Minor change to reflect floorspace reduction.
Support for shared use paths	Shared use paths and bridges were welcomed inclusions in the draft 2024 Plan.	No change proposed	No.
Individual matters and edits	As detailed in Attachment 1, an amendment to the 2024 Plan is required to reflect apportionment of transport infrastructure to Calderwood.  Individual matters raised have been considered. Inconsistent number referencing in the draft 2024 has been highlighted which staff will resolve prior to adoption of a final 2024 Plan.	Apportionment in the 2024 Plan to change.	The revised contributions plan rate will be confirmed through IPART review process.

Note: Several submissions made reference to other matters not specifically relevant to the draft 2024 Plan such as proposed LEP review and amendments. Staff have noted the issues raised.

## CONSULTATION AND COMMUNICATION

### Internal

The Urban Release and Land Use Planning Teams have prepared this post exhibition report and Attachments for the 2024 Plan jointly. In addition, as part of this process, internal consultation was carried out with Infrastructure Strategy and Planning, Library & Community Services, Project Delivery, Finance and Recreation Services and the West Dapto Steering Committee.

A Councillor Briefing was held on 19 February 2024.

## External

On 30 October 2023 Council resolved that the draft 2024 Plan be endorsed for public exhibition for a minimum period of 28 days. Council staff conducted a public exhibition of the draft 2024 Plan between 6 November and 4 December 2023 and accepted late submissions up to the end of December 2023.

Council received 28 submissions during the exhibition as explained in detail under the proposal section of this report.

Council staff have had several meetings with DPHI and Transport for NSW staff, regarding key issues raised in submissions, including the Western Ring Road and Northcliffe Drive Extension considerations. Staff note correspondence recently received from the DPHI (Attachment 3) for consideration through the IPART review process.

Council staff attended an infrastructure workshop held by the Illawarra Shoalhaven Urban Development Institute of Australia where key issues raised in submissions were also discussed.

IPART has been kept updated on the draft 2024 Plan development process ahead of a formal application for review.

## PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2032 Goal 1. It specifically delivers on the following –

Community Strategic Plan 2032		Delivery Program 2022-2026
Strategy		Service
1.6	West Dapto urban growth is effectively managed with facilities and spaces to support the future community.	Land Use Planning

## SUSTAINABILITY IMPLICATIONS

The draft 2024 Plan schedule of infrastructure includes items that will specifically contribute to sustainability outcomes in the WDURA. Contributions are proposed to be collected for active transport via shared paths and shared path bridges. Contributions are proposed to be collected for bus shelters to support public transport. These transport specific measures will help to improve community health outcomes while also providing alternative travel options to private vehicles.

Council's open space design process contributes to sustainability objectives. For example, the Urban Greening program would benefit from open space provided through development contributions.

## RISK MANAGEMENT

Council is committed to regular review of the West Dapto Development Contributions Plan. The preparation of the draft 2024 Plan is consistent with IPART's 2020 recommendation number 23, which recommended that the Plan be reviewed in 3 years, noting that DPE, as the Minister's nominee, approved an extension for the adoption date until December 2024. Without regular review, there is risk that the Contributions Plan does not reflect updated information regarding development of the release area and essential infrastructure requirements and cost.

The risk to development feasibility is also connected to other contributions and charges including the NSW Housing and Productivity Contribution (HPC), which commenced on 1 October 2023 and replaced the Illawarra Shoalhaven Special Infrastructure Contribution (SIC), 2021. In addition, Sydney Water has now also proposed the introduction of water and wastewater services development fees.

The exhibited draft 2024 Plan did not propose collection of contributions for the major bridge section of the Northcliffe Drive Extension, a key regional / state significant infrastructure item identified in the former Illawarra Shoalhaven SIC. The Northcliffe Drive Extension major bridge is required to ensure Northcliffe Drive extends into West Dapto via a grade separated crossing of the rail line.

The draft 2024 Plan did propose continued collection of contributions for the Western Ring Road. The Western Ring Road is an infrastructure item listed in the current adopted 2020 Plan. In 2021, the State Government determined the Illawarra Shoalhaven SIC, which included the West Lake Illawarra Major Road Spine. On 1 October 2023, the Housing and Productivity Contribution commenced replacing the SIC. The HPC does not include a Schedule of infrastructure. However, Council staff understand that the State Government through TfNSW and DPHI consider the Major Road Spine to be a key regional transport item.

As detailed in the proposal section of this report, there has been concern raised in submissions of duplicated contributions by Council and the State Government, for the Western Ring Road and the regionally significant Spine Road (considered to be the same piece of infrastructure in the main). Council staff will continue to work with the State agencies to ensure that there is no duplication of contributions.

## FINANCIAL IMPLICATIONS

The continued development of the WDURA will result in significant demands for both state and local infrastructure. The draft 2024 Plan will be an important mechanism to levy development toward the cost of providing local infrastructure. It should be noted that Council would need to separately fund infrastructure considered to be non-essential for the purpose of Section 7.11 development contributions but still needed for the community (for example, community facilities buildings) as well as the ongoing maintenance, operational and renewal costs.

There is significant financial risk to Council without the progression of the draft 2024 Plan, which needs to progress through IPART review, Minister for Planning and Public Spaces direction and final Council adoption by December 2024, to enable Council a continued funding source above the Section 7.11 Development Contributions cap of \$30,000 per lot or dwelling.

It is important to note the 2024 Plan, and future versions of the Plan, will not recoup previous accumulated cost shortfalls. Therefore, those shortfalls remain an ongoing financial implication for Council. The previous accumulated cost shortfalls relate to the following -

- Between 2010 and 2017 contributions levied were capped at \$30,000 per lot/dwelling, and since 2017, contributions levied under the 2017 and 2020 Plans were less than the current proposed contribution rate. This means that the contributions paid to date do not reflect the current cost of infrastructure and the development already levied have or will pay less than the current contribution rate. This shortfall is estimated to be approximately \$150M and will continue to increase with future Plan reviews. This shortfall cannot be re-levied and applied to existing or future development at WDURA.
- Where exemptions are granted, for example to affordable housing developments, a contribution is not collected and cannot be collected from other development.
- The infrastructure cost apportioned to the demand created by the Calderwood development in the draft 2024 Plan is more than the contributions that can be collected through the various Planning Agreements with Calderwood developers. This shortfall is estimated to be \$75M and cannot be levied to other development in the WDURA.

The indicative timing of infrastructure delivery has financial implications and has relied on assumptions of development rates at WDURA in previous versions of the Plan. Due to the long-time frame of development delivery, and the many variables that influence development timing, there will always be some uncertainty regarding development forecasting.

Various submissions received during public exhibition of the draft 2024 Plan raised development yield related issues, and some referred to the timing of infrastructure. Following public exhibition of the draft 2024 Plan, Council staff have considered the most effective method to inform indicative timing of infrastructure. As a result, it is proposed to seek IPART support for use of a population thresholds trigger as the indication of when the Plan infrastructure items are needed. This approach will be detailed in the IPART application.

Continued monitoring and effort to improve accuracy of forecasting development, is an ongoing task of Council staff, and relies on understanding of utilities services timing and development industry programs, as well as land use planning and Development Applications status.

## CONCLUSION

The West Dapto Urban Release Area is the Illawarra-Shoalhaven Region's largest greenfield release area and has an important role in meeting the region's housing supply needs.

The West Dapto Development Contributions Plan is a key document for the Urban Release Area, as it provides the mechanism to collect development contributions to fund much of the local infrastructure required to support new development in the future communities.

The draft West Dapto Development Contributions Plan 2024 has been prepared within the complex nature of a physically constrained greenfield development site. As a result, essential infrastructure works are subject to significant costs such as adequate roads and drainage infrastructure to ensure accessibility in flood events.

It is recommended that the draft West Dapto Development Contribution Plan 2024, submissions received during public exhibition and Council staff's response to submissions issued, is endorsed by Council for submission to IPART for review. Following the IPART review and receipt of advice from the Minister for Planning and Public Spaces, the draft 2024 Plan will be reported back to Council for adoption.

## Attachment 1

### Detailed Staff Response to Submissions resulting from exhibition of the draft *West Dapto Development Contributions Plan 2024*

Acronyms and initialisms used in this report are contained at the end of this document.

Summary Submission points	Submitter	Council Staff Response
<b>Issue: Request removal of Western Ring Road from the 2024 Plan</b>		
Request that Council removes the Northcliffe Drive Extension / West Dapto Ring Road as a transport contribution cost, which should be funded/ adopted by DPE under a regional infrastructure program.	Feros Group Calderwood Valley (Lendlease) Property Council of Australia Stantec Australia Pty Ltd UDIA Legacy Property	Council staff will continue to consider the role of the Western Ring Road and Northcliffe Drive extension in the Contributions Plan in liaison with relevant State agencies. Removal of the Western Ring Road from the Contributions Plan will be considered subject to a State commitment to funding the infrastructure item via a state controlled mechanism such as the Housing and Productivity Contribution and also subject to IPART review.
Recommendation that DPE adopts items related to the Western Ring Road into the Housing and Productivity Contributions' Infrastructure Opportunities Plan.	UDIA	Council staff will continue to consider the role of the Western Ring Road and Northcliffe Drive extension in the Contributions Plan in liaison with relevant State agencies. Removal of the Western Ring Road from the Contributions Plan will be considered subject to State commitment to funding of the infrastructure item via a state controlled mechanism such as the Housing and Productivity Contribution and also subject to IPART review.
There are instances of double counting of key items in both State Infrastructure Contributions and the exhibited draft 2024 Plan.	Stantec Australia Pty Ltd	Council staff will continue to consider the role of the Western Ring Road and Northcliffe Drive extension in the Contributions Plan in liaison with relevant State agencies. Removal of the Western Ring Road from the Contributions Plan will be considered subject to State commitment to funding of the infrastructure item via a state controlled mechanism such as the Housing and Productivity Contribution and also subject to IPART review.

Issue: Concern with infrastructure scope or cost increase, request for reasonable contingency and on cost assumptions and suggestion to restrict scopes to minimum requirements or expand to include additional infrastructure.		
Clarity is needed around the inconsistencies along the Western Ring Road such as new road segments being 4 lanes, but some of the new bridge items are 2 lanes. The additional costs need to be included in the draft 2024 Plan.	Transport NSW Feros Group	Acknowledged. Council staff will continue to consider the role of the Western Ring Road and Northcliffe Dr extension in the Contributions Plan, including design scope, in liaison with relevant State agencies.
Regarding transport items NR56, NR57 and NR58 – Council should review the costings for this length of road to determine whether an allowance has been made for these watercourse crossings, and if not, that appropriate costs be included in a revised Draft 2024 Plan works schedule.	GLN Planning Consulting Strategy (Submissions 1 and 2)	<p>The costings included in the exhibited draft 2024 Plan are based on a Strategic Concept Design. This design does not include bridges / culverts / crossings identified in this submission. Staff are aware of this limitation.</p> <p>Concept design of Yallah and Marshall Mount Road, and the Western Ring Road is ongoing. Council has completed a 50% Concept Design of Yallah and Marshall Mount Road. Council staff propose to liaise with IPART through the review process, to identify opportunity to update the contributions plan to include infrastructure descriptions and costing consistent with this 50% concept design. The following changes are suggested -</p> <ul style="list-style-type: none"> <li>- Suggest that 'B68' is updated to a bridge (super T over 20m new) of width 14m and length 26m to align with the 50% Concept Design for Yallah Marshall Mount (YMM) Road design project.</li> <li>- Suggest that 'B69' is updated to a bridge (super T over 20m new) of width 14m and length 108m to align with the 50% Concept Design for Yallah Marshall Mount (YMM) Road design project.</li> <li>- Suggest that all other structures within the YMM precinct are based on the current 50% Concept Design, noting that this design may be conservative OR the 80-100% Concept Design pending timing of concept road design and finalising draft contributions plan.</li> </ul> <p>The ongoing design process for these roads will include appropriate bridge crossings and / or culverts at the locations identified in this submission. Staff will continue to inform landowners and provide access to the latest design through this process.</p>
Infrastructure contribution costs are to include the use of benchmark costs and placing limits on the essential work lists to development contingent infrastructure only.	Property Council of Australia Stantec Australia Pty Ltd	Infrastructure included in the exhibited draft 2024 Plan complies with the essential works list.

Cost for infrastructure items seem very high. This combined with the potential that these costs have been too conservative with lengths of infrastructure and bridge components. Bridge components should be an absolute minimum and only those instances where there is no alternative i.e., culverts.	Stantec Australia Pty Ltd	Infrastructure planned and built within WDURA results from detailed design process navigating various land and environmental constraints to determine infrastructure requirements.
Council and IPART should ensure that the contingencies are reasonable, and that additional contingency is not applied for each stage.	DFP Planning	Council staff have undertaken a detailed review of the approach to contingencies as part of this review of the draft 2024 Plan. Additional contingencies have not been applied for each stage. Staff welcome an independent review of the contingencies by IPART.
Infrastructure design has only been carried out at a strategic level. Costs should be transparent and cover capital and implementation costs only.	Wongawilli Resources PTY LTD (Submission 1)	The detailed costings which informed the exhibited draft 2024 Plan have been provided to all parties upon request. These costings, together with the Plan will be independently reviewed by IPART.
Design \ allowance has doubled from 5% to 10% with no apparent justification.	Stantec Australia Pty Ltd	Council staff have made recommended changes to design allocation based on design cost experience in recent projects throughout West Dapto. 5% is not considered sufficient to meet the costs experienced to date. Council staff welcome IPART's independent review of the proposed design allocation change.
All rates need to be checked against recent local tenders for similar infrastructure items. As 'registered cost estimators' often overvalues infrastructure.	Stantec Australia Pty Ltd	Council staff acknowledge the cost challenges faced by the development industry and affordability issues faced by the community. However, the draft 2024 Plan rates are considered appropriate to meet the cost of local infrastructure without increasing the burden on all Council rate payers. Council staff welcome an independent review of the draft Contributions Plan by IPART to test the reasonableness of the proposed rates.
A full cost benefit analysis and / or capacity to pay study should be undertaken to assess the impact of any proposed infrastructure charges on housing affordability.	Wongawilli Resources Pty Ltd (Submission 1) Wollongong Resources Pty Ltd (Submission 2) Property Council of Australia	Council staff acknowledge the cost challenges faced by the development industry and affordability issues faced by the community. However, the draft 2024 Plan rates are considered appropriate to meet the cost of local infrastructure without increasing the burden on all Council rate payers. Council staff welcome an independent review of the draft 2024 Plan by IPART to test the reasonableness of the proposed rates. Council staff have provided detailed costings information to parties on request and have accepted late submissions to allow time for consideration of those costings. Interested parties will also have an opportunity to review and comment on IPART's assessment of the proposed contributions plan when IPART undertakes their review during 2024.



Due to the significant cost increase, Council should proactively continue to review the scope and costs to items in the 2024 Plan to identify opportunities for more efficient and cost effective delivery of the required local infrastructure.	Legacy Property	Council updates the costs and scopes in the Contributions Plan as design of infrastructure processes. Where efficient approaches are available, Council will pursue them.
Total cost increase is over 60% since the 2020 Plan was adopted (4 years). Supporting detail and calculations underpinning the cost estimates should be provided. In addition, the submission notes increase in Local, State and Utilities developer charges which have occurred in recent months.	Malcolm Group CBRE Wongawilli Resources Pty Ltd (Submission 1) Wollongong Resources Pty Ltd (Submission 2) Stantec Australia Pty Ltd Property Council of Australia Stockland UDIA Legacy Property RDA Illawarra	Council staff acknowledge the cost challenges faced by the development industry and affordability issues faced by the community. However, the draft 2024 Plan rates are considered appropriate to meet the cost of local infrastructure without increasing the burden on all Council rate payers. Council staff welcome an independent review of the draft 2024 Plan by IPART to test the reasonableness of the proposed rates. Council also accept that industry is facing numerous increases. Council staff have provided detailed costings information to parties on request and have accepted late submissions to allow time for consideration of those costings. Interested parties will also have an opportunity to review and comment on IPART's assessment of the proposed contributions plan when IPART undertakes their review during 2024.  Council staff note that the additional State based charges referred to in the UDIA submission refers to the SIC replacing H&PC. Council staff consider this not to be an additional charge for development within West Dapto as the SIC rate during 2023/24 was \$140,699 per ha or \$9,380 per dwelling based on 15 dwellings / ha. Both the SIC and now the HP&C have short term discount benefit. Council staff consider that the SIC and HP&C are comparable within the West Dapto context.
The proposed cost increase does not reflect an indexed rate of change in line with the rate of change evident in previous increases.  There appears to be a disconnect between CPI, Land Indexation vs increase in development contributions through time.	Wongawilli Resources Pty Ltd (1) Wollongong Resources Pty Ltd (2)	Council staff acknowledge the cost challenges faced by the development industry and affordability issues faced by the community. However, the draft 2024 Plan rates are considered appropriate to meet the cost of local infrastructure without increasing the burden on all Council rate payers. Council staff welcome an independent review of the draft 2024 Plan by IPART to test the reasonableness of the proposed rates. Council staff have provided detailed costings information to parties on request and have accepted late submissions to allow time for consideration of those costings. Interested parties will also have an opportunity to review and comment on IPART's assessment of the proposed Contributions Plan when IPART undertakes their review during 2024.

Various submissions received comparing Shellharbour City Council Urban Release Area Contributions rate of (\$12,000/dwelling) and Shoalhaven City Council North Nowra Urban Release Area IPART (\$30,000) per lot cap to the West Dapto rate.	Stantec Australia Pty Ltd (Submissions 1 and 2)  RDA Illawarra	Council staff acknowledge the cost challenges faced by the development industry and affordability issues faced by the community. However, the draft 2024 Plan rates are considered appropriate to meet the cost of local infrastructure without increasing the burden on all Council rate payers. Council staff welcome an independent review of the draft Contributions Plan by IPART to test the reasonableness of the proposed rates. Council staff do not consider any of the infrastructure proposed to be funded via the draft 2024 Plan to be 'gold plated'. The last two iterations of the Contributions Plan have been subject to IPART review. Staff have continued to adopt an approach that would ensure proposed infrastructure meets the reasonableness standard expected by IPART. Council staff consider the essential works list to be a minimum standard. Community facilities works are not on the essential works list for example, only community facilities land.
Request that Council consult with Sydney Trains and Transport Asset Holding Entity (TAHE) at the detailed project design stage of the overpass, which should consider whether closing the existing West Dapto Road level crossing would be a viable option.	Transport NSW	Council staff agree that Sydney Trains and TAHE should have close involvement in the detailed design of the major bridge overpass.
The road pavement rates/ costs are very high compared to Cardno's recent review for IPART. Yallah Road is around \$9,800/m, Huntley Road is \$6,200/m, the Western Ring Road comes in at \$7,280/m. They are all 4 lane roads so why are they all different rates?	Stantec Australia Pty Ltd	Road pavement costs vary dependant on whether the costing is based on a specific design and associated cost estimate, or where no design is available a benchmark cost is applied. In this instance, for example Yallah Road and Huntley Road, costings for both roads are based on specific design of the respective infrastructure.
Concern that Council may have 'doubled dipped' with road lengths at intersections and not reduced the length of roads accordingly. Request to see the details for confidence there are not any double ups.	Stantec Australia Pty Ltd	Council staff have reviewed the provision of road lengths and intersection treatments in the plan. In the instance where benchmark costs have been applied, pavement lengths and associated costs in the plan, do include the length of the road. The respective cost of the intersection or roundabout are additional to the base road costs and staff are satisfied the plan does not double dip.  Where specific cost estimates have been integrated into the plan, the cost included in the estimate is applied.
p50/178: table 16 Transport - Active transport - Prioritise extending current network, rather than building isolated sections of less utility until eventually connected.	Illawarra Bicycle Users Group	Council staff acknowledge that the ultimate transport network for West Dapto needs to be delivered in stages for practical reasons. Where possible, improved connectivity will be prioritised.

TR07 – Darkes Road and Summit Road intersection: the cost allowances in the Current Plan have not been sufficient to facilitate a works in kind agreement for the delivery of this intersection.	Dapto Residential	Costings have been revised as part of the draft 2024 Plan preparation. This includes updated variable input assumptions for road works. Costings are available on request.
Recommend inclusion of new item, Rainbird Drive Extension (adjacent to open space item). As the Rainbird Drive extension provides benefits to the wider West Dapto Release Area, it should be a funded road within the Contributions Plan, including all works and land acquisition.	Dapto Residential	Staff have reviewed this issue and consider it reasonable to include a new segment of road on the south eastern side of OS02, approximately 354m in length (road type 3), in the West Dapto Contributions Plan, provided there is connectivity for bus use and flood-free access. The road would also provide a surveillance function for both the park as well as the shared path cycling route that would use the same alignment. This segment of road would connect areas of R2 zoned land and is proposed to be considered for inclusion for review by IPART.
Request for the east-west link road (road running parallel to Marshall Mount Road on the northern side) be included in the draft 2024 Plan for the following reasons: it contains a number of bridges, shares common boundaries between 330 and 346 Marshall mount Road, traverses C2 Environmental Conservation land where roads are not permitted. Inclusion and delivery of this road is sought including works and land acquisition costs, to secure an offset in contributions.	DFP Planning GLN Planning Consulting Strategy (2)	Staff note the road in question is access denied in nature, forms part of the flood reliable road network for Stage 5 and provides connection from North Marshall Mount Road, through Duck Creek Marshall Vale and Woodville Neighbourhood Plan areas, to the Western Ring Road. Staff note that one bridge separates the Neighbourhood Plan areas of Duck Creek Marshall Vale with Woodville east to west. This connection is required across two landholdings and is required to facilitate flood reliable access. Staff consider it reasonable that an additional bridge is included in the draft 2024 Plan, subject to review by IPART.
SINSW requests that the draft 2024 Plan also includes requirements for active travel infrastructure to support government schools.	School Infrastructure NSW	Infrastructure needs around schools are considered as part of Council's Active Transport Strategies and Plans. The design requirements for the various road types within West Dapto are outlined in detail in Chapter B2 Residential Subdivision of WDCP 2009. Locating schools in appropriate locations - taking advantage of road types that cater for school needs - should be an ongoing outcome pursued by School Infrastructure NSW, in liaison with Council staff.
OS02 - There were insufficient funds identified in the current 2020 Plan to complete the identified scope of improvements, and land acquisition costs appear not to have been appropriately indexed. We request from Council detailed calculations of the cost allowances for OS02 to assist further discussions on this matter.	Dapto Residential Pty Limited	Council Staff are comfortable with the embellishment cost assumptions relating to open space in the exhibited draft 2024 Plan. These have been informed by the SINA where relevant. In saying that, Council staff welcome the independent review of all costs in the draft 2024 Plan by IPART. This bridge is proposed to be 28m in length with two travel lanes and shared pathways on either side.

<p>The cost of bridges should be reviewed to ensure that their costs are realistic: The following five bridges in Elm Park and Highgate Hills in draft 2024 Plan are suggested -</p> <ul style="list-style-type: none"> <li>• TR17 (Marshall Mount Road) – Bridges B65, B66 and B67,</li> <li>• TR25 (Western Ring Road) - Bridges B61 and B62.</li> </ul>	<p>DFP Planning</p>	<p>The cost of bridges in the plan will be reviewed by staff and independently reviewed by IPART.</p>
<p>Council should undertake a review of the proposed bridges with a view to lessen the number of bridges overall but provide those bridge designs which are based on engineering best practice and costs based on tendered rates.</p>	<p>Property Council of Australia</p>	<p>Council Staff note the length and treatment of bridges and waterway crossings is refined through the design process. Council Staff note in some instances descriptions of infrastructure items in the draft 2024 Plan require updating to align with design outcomes. Staff recommend this review is undertaken and considered for inclusion through the IPART review process.</p>
<p>The Western Ring Road (segment NR42) is not included in the draft 2024 Plan (or the current 2020 Plan). The DA (as lodged) has planned for a culvert over the upper extent of the C1 creek which has been estimated at a cost of approximately \$2.5million. C1 should also be funded.</p>	<p>DFP Planning</p>	<p>The C1 creek corridor is a Category 2 watercourse, which requires a single span or bridge crossing rather than a culvert as per Chapter E23 Riparian Land Management of the WDCP 2009.</p>
<p>The background data justifying the infrastructure costs and assumptions should be made available for review. This would enable sound technical review of many of the infrastructure items proposed, such as –</p> <ul style="list-style-type: none"> <li>• Merits of bridges or culverts – both location and timing</li> <li>• Nature of bridges – clear span or central pier bridge types</li> <li>• Lengths of bridges – full floodway or a reduced opening</li> <li>• Costs of bridges – especially based on tendered rates.</li> </ul>	<p>Stantec Australia Pty Ltd</p>	<p>The detailed costings which informed the exhibited draft 2024 Plan have been provided to all parties upon request. These costings, together with the Plan will be independently reviewed by IPART. The detailed costings which informed the exhibited draft 2024 Plan have been provided to all parties upon request. These costings, together with the Plan will be independently reviewed by IPART.</p>

PB5 is a pedestrian bridge relating to infrastructure item TR36 (being bridges for the shared paths – TR35 is significantly undervalued.	DFP Planning	The cost of Pedestrian bridges in Schedule 3 of the exhibited draft 2024 Plan remains consistent with the adopted 2020 Plan, with the following exceptions – - cost in the exhibited draft 2024 Plan has been indexed. - on costs have been added consistent with the approach used for all other transport items. Council staff welcome independent review of this item by IPART.
There should be a concurrent review of infrastructure needs to ensure that it is commensurate with the actual needs of the future community.	Stantec Australia Pty Ltd	The SINA provides a contemporary position regarding the social infrastructure needs of the West Dapto Community. Council Staff agree periodic review of social infrastructure planned and provided is required. Council staff will continue to review the provision of Infrastructure, facilitated through regular review of the West Dapto Development Contributions Plan by Council and IPART.
The draft 2024 Plan now removes the reference to childcare which seems odd as this was a use that was being considered for the BBTC.	Stantec Australia Pty Ltd	Council staff agree planning for childcare facilities remains important for West Dapto. The draft CP 2024 notes that childcare facilities may be one of many uses facilitated through a community facility. Childcare facilities remain a permitted use with consent throughout many land use zones.
<b>Issue: Request for contributions exemptions such as School sites. Support for Council proposed affordable, accessible, and emergency housing exemptions.</b>		
Submission seeks SINSW request that 'school/ education facilities' be specifically listed in the exemptions list under section 2.22(b).	School Infrastructure NSW	Although not an explicit exemption listed in the exhibited draft 2024 Plan, NSW Government Schools would be exempt from development contributions under Clause 2.22(b) of the draft 2024 Plan. They are a public infrastructure development provided by the NSW State Government.
<b>Issue: Land Values. Underlying zone assumptions have been questioned as basis for land value determination.</b>		
The land value for three items (NR42, NR43 and NR44) segment is \$18,910,000. The draft 2024 Plan should adopt this value.	DFP Planning GLN Planning Consulting Strategy (1)	The costings in the draft 2024 Plan are based on revised land use zone land values for the release area (Walsh & Monaghan, 2022). These costings would also be subject to indexation prior to adoption. Actual expenditure on land acquisition will be integrated into future reviews of the West Dapto Contributions Plan as expenditure is finalised.
Council should determine the underlying zoning of the Open Space and apply the land value rate applicable to that zoning. Council has flood mapping data and this exercise is not onerous.	DFP Planning AXIA	Council staff welcome the review of the of land value assumptions by IPART.

The draft 2024 Plan should be updated to reflect the actual area of land required for OS14 and OS15 with a corresponding increase in the cost of works, and that the value of the additional land and works be taken into consideration during the negotiation of future planning agreements under the draft 2024 Plan.	Stockland	Costings used to inform the draft 2024 Plan are based on a consistent approach adopted across the release area. Staff do not propose to review that costing approach. Merit based considerations and outcomes may sometime vary through the DA process. However, the aspects relevant for contributions planning remain unchanged.
<b>Issue: Land Value Indexation. Use of the Valuer General land valuation process to develop a Land Value Index is raised as an outstanding recommendation from the 2020 IPART review.</b>		
The proposed methodology for land indexation requires clearer explanation. Land Value Index should not use whole of LGA data derived from the Valuer General but should use locality-specific data, and / or the Land Valuation Index should be reviewed annually.	DFP Planning Stockland	Council staff consider the proposed Land Value Index appropriate and note this approach will be reviewed by IPART. The costings in the draft 2024 Plan are based on revised land use zone land values for the release area (Walsh & Monaghan, 2022) and would be subject to the final land indexation prior to adoption. After adoption of the Contributions Plan, CPI is applied to land valuation.
<b>Issue: Split catchment approach to contributions.</b>		
Split catchment approach was recommended by IPART through their final assessment report. "Recommendation 21" from the 2020 Plan review required Council to introduce contributions catchments for transport, stormwater and plan administration costs between Stages 1-4 and Stage 5".	GLN Planning (Submissions 1 and 2) Consulting Strategy (Submissions 1 and 2) DFP Planning	<p>Council staff considered a split catchment approach in detail during preparation of the 2020 Plan and again as part of this review of submissions. Staff note that during the past two reviews of the Contributions Plan there have been requests to consider split catchment approaches. This has varied from Stages 1-3 and 4-5 to stages 1-4 and 5 in isolation. Council staff maintain that a single catchment approach is still the most appropriate approach for the following reasons -</p> <ol style="list-style-type: none"> <li>1 The shared demand nexus nature of infrastructure (in particular transport).</li> <li>2 Whole release area planning benefits.</li> <li>3 Ensuring consistency throughout contributions reviews.</li> <li>4 The views raised in the 2019 IPART discussion paper "Inclusion of roads in Contributions Plans".</li> </ol> <p>In addition, an equitable approach to splitting the stages of West Dapto is a complex exercise. Release area wide benefit of reduced catchments would not be realised. This approach has been reflected in the introduction of the State's Housing and Productivity Contribution in 2023. The new approach to State development contributions expanded the catchment of contribution beyond identified release areas as was the case in the previous Special Infrastructure Contribution approach. The State supporting</p>

		<p>documentation has described the new approach as simpler and fairer by applying consistent contributions towards the costs of infrastructure.</p> <p>Detailed response to spilt catchments is outlined in Council report of 24 June 2019, attachment 2 remains relevant:  <a href="https://wollongong.nsw.gov.au/__data/assets/pdf_file/0021/37137/Draft-West-Dapto-Development-Contributions-Plan-2020-for-Exhibition.pdf">https://wollongong.nsw.gov.au/__data/assets/pdf_file/0021/37137/Draft-West-Dapto-Development-Contributions-Plan-2020-for-Exhibition.pdf</a></p>
<p>Spilt Catchment approach should apply to Transport works only (Council needs to attempt this approach). The transport contributions should be calculated using traffic modelling (not per capita) and on a stage basis. The effect of Council's apportionment methodology is that Stage 5 residential development will be subsidising Stages 1-4 to the order of \$97.5 million which is inequitable and unreasonable.</p> <p>Split catchment can also apply to administration costs.</p>	DFP Planning	<p>Council staff considered a split catchment approach in detail during preparation of the 2020 Plan and again as part of this review of submissions. Staff note that during the past two reviews of the Contributions Plan there have been requests to consider split catchment approaches. This has varied from Stages 1-3 and 4-5 to stages 1-4 and 5 in isolation. Council staff maintain that a single catchment approach is still the most appropriate approach for the following reasons:</p> <ol style="list-style-type: none"> <li>1. The shared demand nexus nature of infrastructure (in particular transport).</li> <li>2. Whole release area planning benefits.</li> <li>3. Ensuring consistency throughout contributions reviews.</li> <li>4. The views raised in the 2019 IPART discussion paper "Inclusion of roads in Contributions Plans".</li> </ol> <p>In addition, an equitable approach to splitting stages of West Dapto is a complex exercise. Release area wide benefit of reduced catchments would not be realised. This approach has been reflected in the introduction of the State's Housing and Productivity Contribution in 2023. The new approach to State development contributions expanded the catchment of contribution beyond identified release areas, as was the case in the previous Special Infrastructure Contribution approach. The State supporting documentation has described the new approach as simpler and fairer by applying consistent contributions towards the costs of infrastructure.</p> <p>A detailed response to spilt catchments is outlined in Council report of 24 June 2019, attachment 2 remains relevant:  <a href="https://wollongong.nsw.gov.au/__data/assets/pdf_file/0021/37137/Draft-West-Dapto-Development-Contributions-Plan-2020-for-Exhibition.pdf">https://wollongong.nsw.gov.au/__data/assets/pdf_file/0021/37137/Draft-West-Dapto-Development-Contributions-Plan-2020-for-Exhibition.pdf</a></p>
<p>From a stormwater perspective apportionment methodology - Stage 5 residential development will be subsidising Stages 1-4 to the order of \$12.26 million which is inequitable and unreasonable contrary to the EP&amp;A Act and the objectives draft 2024 Plan.</p>	DFP Planning	<p>Council staff maintain that a single catchment approach is still the most appropriate approach as referred to in the response above. Stormwater infrastructure contributions charged across all five stages provides an opportunity for release area wide stormwater management solutions to be implemented. Council will continue to investigate release area wide stormwater management solutions.</p>



<b>Issue: Rail crossings safety and need for overpass (Northcliffe Drive Extension).</b>		
An overpass at this location (Northcliffe Drive Extension overpass) delivered in a timelier manner to service the incoming densities will assist in our assessments and may also remedy some similar issues with other nearby crossings that are also under increasing pressure.	Transport NSW	Council staff are supportive of the need for timely investment by the State in delivery of the Northcliffe Drive Extension major bridge crossing of the Princes Hwy and Southern Railway line. Delivery of the Northcliffe Drive Extension will address safety concerns at the level crossing.
The overpass is identified as a high risk rail level crossing, hence the request to set out parameters in the contributions plan to allocate funds to expedite the construction of the overpass, and any associated property acquisitions	Transport NSW	The current 2020 Plan and the proposed draft 2024 Plan does not allocate or propose to allocate Section 7.11 contributions towards the major bridge 'overpass' component of the Northcliffe Drive Extension (Contributions Plan map reference "TR18 – B2"). This overpass of the Princes Highway and Southern Railway has been a long term inclusion in first the draft West Lake Illawarra SIC determination and the 2021 Illawarra Shoalhaven SIC determination. Council considers that the major bridge remains the responsibility of the State and should be funded from either the Housing and Productivity Contributions framework or other State funding means.
To enable the construction of the overpass without delay we would encourage Council to allocate sufficient funds within the plan based on a preliminary design providing a basis for cost of construction and any associated property acquisitions.	Transport NSW	The current 2020 Plan and the proposed draft 2024 Plan does not allocate or propose to allocate Section 7.11 contributions towards the major bridge 'overpass' component of the Northcliffe Drive Extension (Contributions Plan map reference "TR18 – B2"). This overpass of the Princes Highway and Southern Railway has been a long term inclusion in first the draft West Lake Illawarra SIC determination and the 2021 Illawarra Shoalhaven SIC determination. Council considers that the major bridge remains the responsibility of the State and should be funded from either the Housing and Productivity Contributions framework or other State funding means.
<b>Issue: Request for Council to improve flood mapping to ensure awareness. Concern raised regarding the development yield impact of the 2023 adopted Mullet Ck Floodplain Risk Management Study and Plan (FRMSP).</b>		
The recently released Mullet and Brooks Creek Floodplain Risk Management Plan (2023) has introduced the new concept a Defined Flood Event which is the former 1%AEP plus climate change, roughness, sea level rise and freeboard. Has increased the requirement for bridge, culvert and removal of developable land. Both would have a disastrous impact on the draft 2024 Plan.	Stantec Australia Pty Ltd	Council staff note this submission point relates to alternative related project.  The term 'Defined Flood Event' (DFE) has been introduced by the NSW Government as the flood event used for the management of flooding to development. For the Mullet Creek catchment in the location of the release area, the DFE is based on the 1% AEP event + sea level rise + climate change rainfall increase + blockage envelope + riparian roughness envelope. The DFE does not include freeboard.

		A comparison of the 2018 and 2023 flood levels based on the 1%AEP and DFE indicate minor increases in some locations across the catchment and have little to no impact on the draft 2024 Contributions Plan or future development potential.
Council should 1. Carry out floodplain mapping of the development(s) so that residents are aware of the potential risk to property and insurance costs and 2. prohibit building (development) on land at high risk of flood.	RDA Illawarra	Council has recently completed a comprehensive analysis of flooding for the Mullet Creek catchment as part of the 2023 Mullet Creek Floodplain Risk Management Study and Plan. This analysis was based on the latest national flood modelling approaches. Flood risk precinct categories for all properties within the Mullet Creek catchment are available from Council – these flood risk precincts are typically documented within specific Section 10.7 planning certificates for properties. A floodplain risk management study and plan is currently underway for the Duck Creek catchment (Stage 5 of the West Dapto Urban Release Area).  Council's current flood development controls prevent any intensification of high flood risk areas and floodway's with development, and provide specific guidance on developing within suitable flood prone areas.
<b>Issue: Open Space provision and cost questioned. This includes concern with the increase area of land and embellishment costs.</b>		
Council should consider a flexible approach to the provision of open space areas that meets the needs of the future community, while allowing other essential services to be provided.	Stantec Australia Pty Ltd)	The SINA and contributions plan provides a level of detail around the outcomes expected for open space items. The neighbourhood planning phase and development assessment process facilitates the overall outcomes for each site.
A workshop should be held with Council and adjacent owners to resolve the park location (or locations), east-west connector road and public transport provision.	Stantec Australia Pty Ltd)	Council staff will continue to work with landowners to facilitate outcomes for specific sites relating to all types of infrastructure. This will occur on a case by case basis.
OS23 has increased from 4 ha to 8.5 ha, with a significant increase in development cost.	Stantec Australia Pty Ltd DFP Planning	Open Space and Community Facilities have been updated and informed by the 2023 West Dapto Social Infrastructure Needs Assessment. This has resulted in an increase in open space area required for the release area.
Bong Bong Town Centre – there is significant land take- up and costs relating to this open space. The location is unclear. The imposition of a now 10 ha hectare district park will effectively render the entire site, or significant areas around it undevelopable.	Stantec Australia Pty Ltd	Open Space and Community Facilities have been updated and informed by the 2023 West Dapto Social Infrastructure Needs Assessment. This has resulted in an increase in open space area required for the release area. Council Staff welcome the review of open space provisions in the contributions plan by IPART.

<p>Drastic cost increase in open space and recreation from \$75.83 M to \$326.736M. It is unclear why these cost components have risen so much therefore the request for further detailed information justifying why.</p> <p>Seek staff review the open space with the intent to reduce this focusing on outcomes rather than land input.</p>	<p>Stantec Australia Pty Ltd (submission 1) Stantec Australia Pty Ltd (submission 2) Property Council of Australia DFP Planning UDIA</p>	<p>Council Staff acknowledge the exhibited draft 2024 Plan includes an overall increase in the provision of open space across WDURA.</p> <p>Between adoption of the 2020 Plan and the exhibited draft 2024 Plan, an extensive review of open space need was undertaken to provide a contemporary basis for West Dapto. This is consistent with recommendation 13 and 14 of IPART's 2020 Final Assessment Report.</p> <p>The SINA (2023) includes performance based criteria for open space for use across West Dapto. This will be used to plan for and build open space outcomes. The land areas included in the exhibited draft 2024 Plan will enable adequate provision of open space into the future. Previous open space requirements were based on a 2007 study.</p> <p>IPART will undertake a review of the exhibited draft 2024 Plan and make recommendation to the Minister for Planning and Public Places which will consider the reasonableness of proposed open space provision.</p>
<p>OS23</p> <p>The draft 2024 Plan should be reduced from 8.5ha to 7.7ha to reflect the RE1 zone.</p> <p>land valuation - Dyson Valuer has valued OS23 at \$11,700,000 and the draft 2024 Plan should adopt this value. If the area of OS23 is retained at 8.5ha, then a revised valuation for the larger area will be required.</p>	<p>DFP Planning</p>	<p>As per the draft CP 2024, OS23 is expected to deliver district sport outcomes. Staff are aware the RE1 zoned land is approximately 7.7 ha in size. Staff expect the final district sport outcomes and resulting land area will result from finalisation of the respective Neighbourhood Plan.</p>
<p>The open space review should also assess the option to establish a Council Special Rate Vehicle for West Dapto that targets both existing and future residents in and adjoining the Urban Release Area.</p>	<p>Property Council of Australia Stantec Australia Pty Ltd</p>	<p>Staff acknowledge the exhibited draft 2024 Plan includes an overall increase in the provision of open space across WDURA.</p> <p>Between adoption of the 2020 Contributions Plan and the exhibited draft 2024 Plan, an extensive review of open space need was undertaken to provide a contemporary basis for West Dapto. This is consistent with recommendation 13 and 14 of IPART's 2020 Final Assessment Report.</p> <p>The SINA (2023) includes performance based criteria for open space for use across West Dapto. This will be used to plan for and build open space outcomes. The land areas included in the exhibited draft 2024 Plan will enable adequate provision of open space into the future. Previous open space requirements were based on a 2007 study.</p> <p>IPART will undertake a review of the draft exhibited draft 2024 Plan and make recommendation to the Minister for Planning and Public Places which will consider the reasonableness of proposed open space provision.</p>

		Existing West Dapto development has made contribution in accordance with the relevant contributions plan at the time of development. The SINA 2023 identified that existing neighbouring Horsley residents have sufficient existing open space to meet their needs. They will not be reliant on the open space proposed open space throughout West Dapto.
The increase in open space is matched with a 18.34% reduction in residential land (i.e., 326.1 ha loss). At 15 lots per ha, this would equate to a loss of up to 4,900 dwellings in the URA which is concerning given the current housing crisis.	Stantec Australia Pty Ltd UDIA	Council staff can confirm that the majority of reduction in residential land reflects an adjustment made between the 2020 Plan and draft 2024 Plan to remove reliance on 251.41 ha of C3 Environmental Management land for residential outcomes. In 2020, the reliance of C3 (then E3) land resulted in a yield of only 16 dwellings. Therefore, the substantial residential land area reduction does not contribute to the majority of potential yield. Unfortunately, the submission assumption that 326.1 ha of reduced residential land would result in a loss of 4,900 dwellings is not accurate. 3,771.15 of those assumed dwellings lost would rely on the development of 251.41 ha of C3 Environmental Management land which is not possible. In 2020 the 251.41 ha of C3 land was assumed to yield 16 dwellings only. Therefore, the total reduction in yield is substantially less when relying on a crude 15 dwellings / ha rate. Council staff are encouraging increased housing variety and density throughout the R2 and R3 zoned land of the release area. In addition, Council staff have explored other housing opportunities within the future Centres of West Dapto through the draft Centres Master Planning project.
Better use / recognition of C2 and C3 zoned land for recreation (LEP permissible with consent, and recognised in the West Dapto Open Space Design Manual)	DFP Planning	The SINA (2023) includes performance based criteria for open space for use across West Dapto. This will be used to plan for and build open space outcomes. The land areas included in the exhibited draft 2024 Plan will enable adequate provision of open space into the future. Previous open space requirements were based on a 2007 study.  IPART will undertake a review of the draft Plan 2024.
Council should ensure that, at a minimum, a concept design is prepared for each open space infrastructure item with a cost estimate by a quantity surveyor.	DFP Planning	Where available Council costings have been informed by latest designs. This has been the case in primarily roads. However, the open space costs were informed by costing work undertaken as part of the 2023 SINA and considered more appropriate than outdated assumptions in previous versions of the Contributions Plan. Ongoing reviews of the Contributions Plan would be informed by Concept Design quantity surveyor costings where available. For example, based on the indicative timing of OS01 District Sports Park adjacent to Darkes Town Centres the next review of the Contributions is expected to benefit from a design based costing. Between adoption of the 2020 Contributions Plan and the exhibited draft 2024 Plan, an extensive review of open space need was undertaken to provide a contemporary basis for West Dapto. This is consistent with recommendations 13 and 14 of IPART's 2020 Final Assessment Report.  The SINA (2023) includes performance based criteria for open space for use across West Dapto. This will be used to plan for and build open space outcomes. The land areas

		<p>included in the exhibited draft 2024 Plan will enable adequate provision of open space into the future. Previous open space requirements were based on a 2007 study.</p> <p>IPART will undertake a review of the draft 2024 Plan and make recommendation to the Minister for Planning and Public Places which will consider the reasonableness of proposed open space provision.</p>
<p>A surplus of 7.97 ha in district sport and district recreation parks was identified in the suburb of Horsley. Draft 2024 Plan anticipated a population increase in Horsley of 77 people (p16 of the draft 2024 Plan). This population increase will not absorb the 7.97 ha surplus. This should be recognised in the draft 2024 Plan to help reduce the planned open space/total costs.</p>	DFP Planning	<p>Where available Council costings have been informed by latest designs. This has been the case in primarily roads. However, the open space costs were informed by costing work undertaken as part of the 2023 SINA and considered more appropriate than outdated assumptions in previous versions of the Contributions Plan. Ongoing reviews of the Contributions Plan would be informed by Concept Design quantity surveyor costings where available. For example, based on the indicative timing of OS01 District Sports Park adjacent to Darkes Town Centre, the next review of the Contributions Plan is expected to benefit from a design based costing. Between adoption of the 2020 Contributions Plan and the exhibited draft 2024 Plan, an extensive review of open space need was undertaken to provide a contemporary basis for West Dapto. This is consistent with recommendations 13 and 14 of IPART's 2020 Final Assessment Report. The SINA includes performance based criteria for open space for use across West Dapto. This will be used to plan and build open spacesThe land areas included in the exhibited draft 2024 Plan will enable adequate provision of open space into the future. Previous open space requirements were based on a 2007 study.</p> <p>IPART will undertake a review of the exhibited draft 2024 Plan and make recommendation to the Minister for Planning and Public Places which will consider the reasonableness of proposed open space provision.</p>
<p>OS10 - With the consolidation to (5ha) should Legacy progress with developing the site, they will seek to split the provision of OS10 into two broadly equal facilities.</p> <p>OS10 is indicatively located within the subject site ('in the vicinity of Jersey Farm Village Centre') and is noted that the draft 2024 Plan outlines a 25% increase in size (from 4ha to 5ha) and the indicative timeframe has also been pushed out.</p>	Legacy Property	<p>Open space changes reflect the recommendations adopted by Council from the SINA 2023. The increase to 5ha is consistent with the needs assessment.</p> <p>Previous draft applicant planning work for the Wollongong Coal holding has not been subject to a full merit assessment. Council staff do not prefer splitting of Open Space outcome as the opportunity to deliver formal sporting facilities becomes compromised.</p>

<p>Numerous Local Parks are included in the draft 2024 Plan and these two local parks (located in Woodville Neighbourhood Plan area) should be included in the draft 2024 Plan with the below valuations:</p> <ol style="list-style-type: none"> <li>1 The local park in Stage 1 (1.4 ha) is \$280,000</li> <li>2 The local park in Stage 7 (0.5ha) is \$270,000</li> </ol>	<p>DFP Planning</p>	<p>Council staff do not consider additional local parks are a reasonable inclusion in the Contributions Plan. The draft 2024 Plan has only been updated to reflect formal open space with broader catchment benefit. The two local parks referred to in this submission, while important, are considered to only service a small local catchment.</p>
<p><b>Issue: Essential Works List, specifically lack of Childcare facilities funding.</b></p>		
<p>Concern regarding how the provision of childcare facilities (including long day care and before/after school care) is no longer considered as 'Essential Works' and is not funded by development contributions.</p>	<p>RDA Illawarra</p>	<p>Council staff agree planning for childcare facilities remains important for West Dapto. The 2020 Plan is a Section 7.11 Contributions Plan under the Environmental Planning and Assessment Act, 1979. Section 7.11 Contributions have a very limited role in funding for community facilities. Council can only collect contributions for the land component. Construction and building components cannot be funded from Section 7.11 contributions. The NSW Department of Planning, Housing and Infrastructure publishes an "Essential Works List" that outlines what Council can collect Section 7.11 Contributions for. The items in the draft West Dapto Development Contributions Plan are limited to those essential works list items which are published by DPE via Ministerial Direction dated 18 December 2018. Council has previously and will continue to advocate for inclusion of Community Facilities works in the essential works list.</p>
<p><b>Issue: Concern raised regarding increase in Commercial Development contributions.</b></p>		
<p>The levying of contributions for commercial at now 50% of the same rate as for residential is considered inequitable due to both the scale of demand for service infrastructure by these uses; and the associated development returns.</p>	<p>Stantec Australia Pty Ltd</p>	<p>Council staff acknowledge the cost challenges faced by the development industry and the viability issues faced with commercial development. However, the draft 2024 Plan rates are considered appropriate to meet the cost of local infrastructure without increasing the burden on all Council rate payers. Council staff welcome an independent review of the draft 2024 Plan by IPART to test the reasonableness of the proposed rates. Council staff have provided detailed costings information to parties on request and have accepted late submissions to allow time for consideration of those costings. Interested parties will also have an opportunity to review and comment on IPART's assessment of the proposed Contributions Plan when IPART undertakes their review during 2024.</p>

<p>The rate levied on commercial land uses like the Bong Bong Town Centre will increase from \$371,189.35 / ha to \$620,093.56 / ha – a 67% increase. In previous Contribution Plans it was zero. As a result, effecting the viability of commercial development.</p>	<p>Stantec Australia Pty Ltd</p>	<p>”Council staff acknowledge the cost challenges faced by the development industry and the viability issues faced with commercial development. However, the draft 2024 Plan rates are considered appropriate to meet the cost of local infrastructure without increasing the burden on Council rate payers. Council staff have reviewed current and previous contribution rates from the 2017 and 2020 Plans and have noted commercial land was levied. Council staff welcome an independent review of the draft Contributions Plan by IPART to test the reasonableness of the proposed rates. Council staff have provided detailed costings information to parties on request and have accepted late submissions to allow time for consideration of those costings. Interested parties will also have an opportunity to review and comment on IPART’s assessment of the proposed Contributions Plan when IPART undertakes their review during 2024.</p>
<p><b>Issue: Housing density and residential land reduction concern raised. Impact on development forecasting.</b></p>		
<p>Concerns raised around the WDURA completion date (mid 2060s), large contingencies (25%) and the absence of any detailed design of infrastructure items which results in their costing being volatile.</p>	<p>RDA Illawarra</p>	<p>Council staff acknowledge the cost challenges faced by the development industry and affordability issues faced by the community. However, the draft 2024 Plan rates are considered appropriate to meet the cost of local infrastructure without increasing the burden on all Council rate payers. Council staff welcome an independent review of the draft Contributions Plan by IPART to test the reasonableness of the proposed rates.</p>
<p>Recommendation that Council undertake a review of the West Dapto Yield and Infrastructure Needs Assessment focusing on the opportunities to recover lost yield and the resulting infrastructure needed (18.34% reduction in residential land), and / or opportunities to recover lost yield from infrastructure need.</p>	<p>Property Council of Australia UDIA</p>	<p>Council staff can confirm that most of the reduction in residential land reflects an adjustment made between the 2020 Plan and the draft 2024 Plan to remove reliance on 251.41 ha of C3 Environmental Management land for residential outcomes. In 2020, the reliance on C3 (then E3) land resulted in a yield of only 16 ha. Therefore, the substantial residential land area reduction does not contribute to the majority of potential yield. Unfortunately, the submission assumption that 326.1 ha of reduced residential land would result in a loss of 4,900 dwellings is not accurate. 3,771.15 of those assumed dwellings lost would rely on the development of 251.41 ha of C3 Environmental Management land which is not possible. In 2020 the 251.41 ha of C3 land was assumed to yield 16 dwellings only. Therefore, the total reduction in yield is substantially less when relying on a crude 15 dwellings / ha rate. Council staff are encouraging increased housing variety and density throughout R2 and R3 zoned land in the release area. In addition, Council staff have explored other housing opportunities within two of the future centres of West Dapto through the draft Centres Master Planning project.</p>



Council should proactively review and support changes to LEP minimum lot size controls that would allow increase yields and greater housing diversity throughout West Dapto. The provision for additional smaller lots (say 300-400sqm) will also support increased housing affordability.	Legacy Property	Council staff are willing to consider a revision of density outcomes where appropriate and subject to merit assessment through the appropriate land use planning process, such as the NSW Planning Proposal process.
Table draft 2024 Plan (p17) shows that the total dwelling forecast for Stage 5 is 3,703 dwellings. This a reduction from the current 2020 Plan forecast of 4,260 dwellings. The basis for the reduced dwelling forecast is not explained.	DFP Planning	<p>Council staff have reviewed the land use and density assumptions informing the draft 2024 Plan. An error has been noted in the dwelling density assumption for a portion of R3 zoned land within stage 5. The assumption informing the exhibited plan assumed a density of 13 dwellings per ha. Staff have reviewed this and note the correct density assumption is 30 dwellings per ha. The overall dwelling yield for stage 5 is in the order of 4264 dwellings.</p> <p>The impact of this change is that means will be a small overall reduction in the development contribution rates.</p> <p>Staff recommend this change is reviewed by IPART.</p>
<p>The total developable land area has decreased from 1,981 hectares to 1,722 hectares (loss of 326 hectares) of residential land. It would be beneficial for Council to clarify the scope of C3 zoned land that will be removed from their residential assumptions.</p> <p>Recommend staff review of the West Dapto Yield and Infrastructure Needs Assessment focussing on the opportunities to recover lost yield (326.1 ha loss) and the resulting infrastructure need.</p>	<p>UDIA</p> <p>Property Council of Australia</p>	<p>Council staff can confirm that the majority of reduction in residential land reflects an adjustment made between the 2020 Plan and the draft 2024 Plan to remove reliance on 251.41 ha of land zoned C3 Environmental Management. In 2020 the reliance of C3 (then E3) land resulted in a yield of only 16 dwellings. Therefore, the substantial residential land area reduction does not contribute to the majority of potential yield. Unfortunately, the submission assumption that 326.1 ha of reduced residential land would result in a loss of 5,500 dwellings is not accurate. 3,771.15 of those assumed dwellings lost would rely on the development of 251.41 ha of C3 Environmental Management land which is not possible. In 2020, the 251.41 ha of C3 land was assumed to yield 16 dwellings only. Therefore, the total reduction in yield is substantially less when relying on a crude 15 dwellings / ha rate. Council staff are encouraging increased housing variety and density throughout the R2 and R3 zoned land in the release area. In addition, Council staff have explored other housing opportunities within the future Centres of West Dapto through the draft Centres Master Planning project.</p>
That Council works with industry to refine the forecasted new homes projected to be delivered in the West Dapto URA and consider the affordability impact of delivering less dwellings than was originally forecast.	UDIA	Council Staff continually review forecasts based on information gather from ongoing discussions with industry, DPHI, other infrastructure service providers.

Council could review dwelling yield opportunities within the WDURA and aim to increase yields elsewhere to maintain dwelling yields.	Stantec Australia Pty Ltd	Council staff will continue to assess Planning Proposals with the intent to facilitate housing outcomes in line with the West Dapto Vision.  Council staff will continue to work with applicants during subdivision development applications, to facility dwelling yield aligned with the planning controls and responsive to site and environmental constraints.
<b>Issue: Calderwood development relationship to the 2024 Plan questioned including nexus.</b>		
Marshall Mount Town Centre Bypass impacts developable land in the north of the CUDP. Partial acquisition and arrangements for the offset or credit should be factored into the costs of infrastructure and revenue assumptions from the CVPA.	Calderwood Valley	Council staff will continue to liaise directly with Lendlease regarding existing Voluntary Planning Agreement implications.
Modification 4 increased the estimated dwelling yield across the CUDP from 4,800 to 6,000 dwellings. That change should be reflected in the Contributions Plan to the extent that it influences estimated contributions from the CUDP towards West Dapto infrastructure.	Calderwood Valley	Council staff will continue to liaise directly with Lendlease regarding existing Voluntary Planning Agreement implications.
Overlapping infrastructure scope and standards at the interface of the WDURA and CUDP warrants detailed investigation. Road alignments, street profiles and flood extents should be coordinated such that standards are consistent.	Calderwood Valley	Council staff will continue to liaise with all relevant land owners, developers and Shellharbour Council staff in relation to local infrastructure near and adjoining the LGA boundary.
More discussions between Wollongong Council and Lendlease would be useful to establish infrastructure staging and timing for the WDURA/CUDP area. Also ensure appropriate cost estimates for infrastructure items are accounted for.	Calderwood Valley	Council staff will continue to partake in discussions with Lendlease regarding provision of infrastructure.
The draft 2024 Plan does not account for infrastructure that will be delivered within the CUDP or the broader benefits to the West Dapto community that will be derived from that infrastructure.	Calderwood Valley	The SINA, adopted by Council 28 August 2023, informed preparation of the draft 2024 Plan. The SINA considered the proposed Calderwood infrastructure provision. Road network requirements have been informed by the West Dapto Vision 2018 Structure Plan which was informed by Council's regional traffic model, including the development assumptions at Calderwood.

Section 4.3.4 relates to nexus and apportionment of the transport network) (Yallah Rd, Marshall Mount Rd & Marshall Mount Town Centre Bypass. If this clause implies additional contributions will be collected from Calderwood development in the exhibited Contributions Plan, the exhibited plan should be amended such that all contributions are accommodated with the VPA.	Calderwood Valley	The draft 2024 Plan does not propose additional contributions from development at Calderwood. Calderwood contributions would continue to be made via executed Planning Agreements.
CF05 The cost of land is \$1,300,000 equating to \$130/m2. This rate has been applied to all 6 Community Facilities in the WDURA. It is not clear why. The valuation supports a land value of \$3,500,000.00. The Draft 2024 Plan has significantly undervalued this land and should be revised to adopt this value.	DFP Planning AXIA	Council staff will review the appropriateness of assumed land zones for each of the Community Facilities. A commercial rate based on the Walsh & Monaghan valuation is expected to be used for CF05.
Land value of CF05 questioned and noted as not adequate. Area CF05 has increased from 3,500m2 to 10,000 m2.	Stantec Australia Pty Ltd AXIA DFP Planning	Council staff will review the appropriateness of assumed land zones for each of the Community Facilities. A commercial rate based on the Walsh & Monaghan valuation is expected to be used for CF05.
<b>Issue: Concern was raised that Council intends to 'claw back' contributions deficit from previous development, including Calderwood.</b>		
The claw back on prior \$30k contributions, and particularly the \$75M shortfall from Calderwood developer agreements should not be levied in the draft 2024 Plan.	Stantec Australia Pty Ltd (Submissions 1, 2 and 3) DFP Planning	Council staff have no intent to 'claw back' losses and agree that would be unreasonable. The report is simply acknowledging the shortfall already faced by Council. The proposed contribution rates in the draft 2024 Plan reflect the revised cost of infrastructure. Council will continue to experience the losses referred to in the Council report even if the proposed contribution rates are adopted. If a rate less than that proposed in the draft 2024 Plan is adopted Council would experience a larger shortfall.

Issue: Community Facilities particularly CF05 sub-district facility status questioned		
<p>CF05</p> <p>Council should explore the option of providing two local centres utilising the North Marshall Mount Road Progress Hall and CF05 (as located and sized in the current 2020 Plan), then two neighbourhood facilities would be available which still gives good coverage of Area 10 catchment as illustrated in Figure 3.</p>	DFP Planning	<p>Staff have reviewed feedback in relation to CF05, specifically the proposed upgrade of the planned neighbourhood scale facility to a sub-district scale facility through the exhibited draft 2024 Plan.</p> <p>Submissions identified proximity and overlap between stage 5 of WDURA and Calderwood development. Staff understand the size of the planned Calderwood multi-purpose community facility is based on the expected population of Calderwood. Staff understand library facilities for the expected population of Calderwood will be provided offsite via an extension and refurbishment of the Albion Park Library. Council staff consider the spatial proximity to the planned multi-purpose community facility within Calderwood may be relevant however note the capacity of this site will not cater for the needs of WDURA residents.</p> <p>Council staff have reviewed feedback provided through exhibition period relating to CF05. The SINA notes the need for a second sub-district scale community facility in WDURA results from a spatial gap relating to stages 4 and 5, with the gap arising under the ultimate development scenario (i.e., WDURA is completely developed). The SINA notes CF05 could be of a 'local scale', being between 1,500 – 24,000m<sup>2</sup>. Staff recommend CF05 is amended from the sub district scale in the draft 2024 Plan, to a local scale community facility, for consideration by IPART.</p>
<p>CF05</p> <p>The built form envisaged by the LEP controls would be buildings of up to at least 4 storeys. A land area of 10,000m<sup>2</sup> for a building with a GFA of 3,600m<sup>2</sup> is a significant under-utilisation of the MU1 zone. A community facility integrated into a mixed use building will require less land.</p>	DFP Planning	<p>The built form of the community facility will be determined as design and planning progress. In saying this, staff note the issue and agree that it may be reasonable to explore a multi-level facility indicatively located as opposed to a single storey development.</p> <p>If the proposed community facility CF05 is amended from the exhibited sub-district scale to a local scale, the land area assumed to be required would reduce accordingly.</p>
<p>CF05 has been relocated from land zoned R2 low density residential to land zoned MU1 (in the Marshall Mount town centre) that has a higher value and has a strategic function to deliver housing density. Council should explore other opportunities on lower value land, land already identified for acquisition, existing buildings or shared facilities with Shellharbour Council.</p>	DFP Planning	<p>Social Infrastructure is indicatively located on the West Dapto Development Contributions Plan mapping. A final location is subject to more detailed analysis, including Neighbourhood Planning. CF05 is being considered in Council's Centres Master Planning Project. A draft Centres Master Planning package was endorsed by Council on 11 December 2023 for public exhibition. The exhibition commenced in February 2024, after school holidays. Further opportunity to provide comment on the spatial location of future CF05 is available through that exhibition process, which closes on 4 March 2024</p>

Indicative location of CF03 appears to be in the middle of the BBTC. The Draft 2024 Plan also notes that the exact composition and use of multipurpose centre will be determined through planning process, but the BBTC has existing zones and an approved Neighbourhood Plan.	Stantec Australia Pty Ltd	Council staff note the indicative location of CF05 remains consistent with the location as depicted in the current adopted 2020 Plan. The final location of the community facility will be determined through landholder consultation and Development Assessment.
<b>Issue: Support for shared use paths</b>		
Shared use paths and bridges were welcomed inclusions in the draft 2024 Plan. Prioritisation of the existing network rather than building new isolated areas is suggested.	Illawarra Bicycle Users Group	Council staff notes the support for shared use paths and bridges and acknowledge challenges created for users when subdivisions are built but the entire network is not connected.
<b>Issue: Individual matters and edits</b>		
Review labelling of mapping for Northcliffe Drive Extension	Transport NSW	Council staff to review map labelling and update prior to adoption of a final Contributions Plan.
Current strategic plans have the Western Ring Road and Marshall Mount Rd as key corridors for future bus routes servicing the wider development areas. We would like to see those corridors built in a way that allows for efficient bus services.	Transport NSW	Council staff consider the Council Type 2 Road design requirements would meet this public transport (bus servicing) network function requirement. Council staff will continue to liaise with relevant TfNSW staff as road project planning continues, including design.
On p5 and p37 of draft 2024 Plan (i.e. \$1,040,819,526) does not match the total in Schedule 3 on p70 (i.e. \$1,034,526,664).	DFP Planning	Errors are acknowledged and will be corrected prior to adoption of the final plan by Council.
With reference to clause '2.19 Savings Provisions and Transitional Arrangements', this states that it is, not reasonable that DAs already lodged should be subject to the new Development Contribution rates.	DFP Planning	The approach proposed in the draft Contributions Plan is consistent with the existing 2020 Contributions Plan which has previously been subject of IPART review. Council staff consider the approach to be reasonable.

No funding mechanism using per capita annual council fees as residents enter the area, to help fund the infrastructure, nor any proposal to modestly increase annual rates across entire Wollongong LGA as a funding mechanism.	Stockland Stantec Australia Pty Ltd	Contributions collected through the West Dapto Development Contributions Plan (s7.11 plan) will fund essential infrastructure detailed in the plan.
p46/174: Table 14 - Transport- Intersections - Roundabouts can be hazardous for cyclists - change from signals to roundabouts should not increase risks.	Illawarra Bicycle Users Group	All roads identified in the West Dapto Contributions Plan are designed with cyclists and pedestrian safety in mind.  The few intersections that have been changed to roundabouts are generally on those more major roads, with shared paths provided for cyclists so they are not riding on the road amongst traffic. The Safe Systems Approach has shown that roundabouts have safety benefits for road users through speed reduction and crash severity reduction and can be used to enhance 'place' outcomes by calming traffic. The design of the roundabouts will consider the road environment and opportunities for improved cycle safety.
The east / west extension of Wholahan Avenue through the centre of the site creates a barrier to movement through the town centres, significantly altering the urban scale and connectivity of the retail precinct. The design considerations are yet to be considered in any meaningful spatial way.	Stantec Australia Pty Ltd	The issue being referred to is a Neighbourhood Planning consideration and not a consideration of the Contributions Plan development.
TR35 should be added to Figure 10 Map – Transport (Sheet 6) and Schedule 3 – Transport (cost of infrastructure) should be revised for the increased length	DFP Planning	Council staff will review mapping in relation to TR35. Costings for the proposed shared path have been reviewed and are considered appropriate.
It is not clear in the Council Officer's Report / draft 2024 Plan why the apportionment of road works to the Calderwood development has changed and what impact this has on the WDURA contribution rates.	DFP Planning	Council staff note apportionment of transport infrastructure to Calderwood requires review and is recommended to be reviewed by IPART.
What are "Bus transport kiosks"? Can a definition or example be provided elsewhere in the document?	Transport NSW	A Bus transit kiosk is a larger bus stop / shelter that is provided where bus routes converge or at major stops like Town or Village Centres. Typically, these stops have higher levels of amenity, bus passenger information and capacity. Staff note this definition can be added to the contributions plan if required.

A 28 day exhibition period from 6th November to 4th December 2023, this is an insufficient amount of time from decision making to the end of the exhibition period.	Wollongong Resources Pty Ltd (1)	The exhibition period for the draft West Dapto Contributions Plan occurred in accordance with the report to Council, informed by Council's Community Participation Plan. 28 days is a standard acceptable exhibition period. However, Council staff acknowledge there was desire by some stakeholders to have more time to make a submission. As a result, council staff accepted late submissions up until the 23rd of December 2023. Interested stakeholders will also have an opportunity to comment on IPART's draft assessment which would also be available on IPART's website during 2024.
Concern raised states that Wollongong City Council should take all reasonable steps to ensure that future stages of West Dapto development, include at least ten percent (10%) of affordable housing, and at least three (3%) percent of accessible housing.	RDA Illawarra	Council's 2023 Housing Strategy requires that for West Dapto and the whole LGA any upzoning proposed needs to include an affordable housing requirement of a minimum of 5% of the Gross Floor Area of proposed residential developments will be required to be provided as Affordable Rental Housing. In addition, Council will continue to work with the State to encourage more State investment in the Affordable housing sector.
Additional consultation between SINSW and Council should be undertaken prior to the finalisation of the Draft Plan.	School Infrastructure NSW	Council staff will continue to engage with all State agencies in relation to infrastructure affecting WDURA. The Contribution Plan does not provide funding for school infrastructure, this is a State responsibility through the Housing and Productivity Contribution.
Council should advocate to Transport for NSW to deliver public transport services to the developing stages of West Dapto as a priority once essential infrastructure (e.g. bus stops) is complete and for council to publish regular reports showing cumulative development contributions and expenditure.	RDA Illawarra	In line with the requirements outlined in Division 4 of the Environmental Planning and Assessment Regulation 2021, and s428 of the Local Government Act 1993, Council makes available a development contributions register, and publishes annual reports and statements outlining how development contributions have been used or expended.
Various submissions received who are not in support of the draft 2024 Plan.	Various individual parties (online)	Staff note issues of non-support and where specific issues were raised, these are addressed in this table and within the Council report.
DPE should empower the Illawarra-Shoalhaven Urban Development Program to make West Dapto a priority for coordination and prioritisation of infrastructure roll-out.	UDIA	Council staff agree that West Dapto will be the major contributor to green field housing supply in the Wollongong LGA for a number of decades. Staff also support prioritising West Dapto for coordination and prioritisation of State infrastructure roll-out. It is important to note that roads are not considered to be the only essential infrastructure item for place making and new communities. Roads will enable housing. Enabling communities should also be considered the priority. Therefore, social infrastructure should be considered in this infrastructure prioritisation.



In alignment with the West Dapto Vision 2018, updates to the WD Contributions Plan and WLEP should be undertaken to reflect the changes outlined in this submission regarding (merging Neighbourhood Plans, and the current (LEP) minimum lot size of 450 sq/m for detached homes).	UDIA	Council staff have continually reviewed all EPIs relevant to West Dapto since adoption of the West Dapto Vision 2018. The WLEP 2009 has been amended to facilitate Urban zoning in stage 3 of West Dapto, for example, while the WDCP 2009 is regularly updated. In particular, Chapter D16 West Dapto Release Area and Chapter B2 Residential Subdivision have had complementary amendments to implement the intended outcomes set by the West Dapto Vision 2018. Council staff will continue to review the relevant EPIs.
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### Acronyms and Initialisms used in this report

BBTC	Bong Bong Town Centre
CPI	Consumer Price Index
CUDP	Calderwood Urban Development Project
Draft 2024 Plan	Draft West Dapto Development Contributions Plan 2024
EP&A Act	Environmental Planning & Assessment Act 1979
EPI	Environmental Planning Instrument
HP&C	Housing and Productivity Contribution
IPART	Independent Pricing and Regulatory Tribunal NSW
LGA	Local Government Area
PCA	Property Council of Australia
RDA	Regional Development Australia
SIC	Special Infrastructure Contribution
SINA	Social Infrastructure Needs Assessment
SINSW	School Infrastructure NSW
TAHE	Transport Asset Holding Entity
TfNSW	Transport for NSW
UDIA	Urban Development Institute of Australia
WDCP 2009	Wollongong Development Control Plan 2009
WDURA	West Dapto Urban Release Area
WLEP 2009	Wollongong Local Environmental Plan 2009
2020 Plan	West Dapto Development Contributions Plan 2020

**Attachment 2 - Proposed 2024 Plan Amendment subject to IPART Review**

Draft CP 2024 Clause / Reference	Council Staff proposed change to Plan following public exhibition
Table 1 Summary – Cost of infrastructure by category Table 2 Summary – Contribution rates by development type Table 3 Summary – Contribution rates by infrastructure category	<ul style="list-style-type: none"> <li>Change will result from cumulative impact of amendments itemised below.</li> </ul>
Table 4 Residential development assumptions – population Table 5 Residential development assumptions – dwellings	<ul style="list-style-type: none"> <li>Change to development forecast to include overall increase in population and dwellings projected within Stage 5.</li> <li>Change to development forecasts in Table 4 and 5 to more accurately reflect observed roll out of development throughout WDURA.</li> </ul>
Table 9 Open Space and Recreation	<ul style="list-style-type: none"> <li>Change to the indicative timing for open space infrastructure items to reflect population based thresholds as an indication for when open space items will be delivered.</li> </ul>
Table 10 Community Facilities	<ul style="list-style-type: none"> <li>Amendment to change CF05 Yallah Marshall Mount Community Facility (CF05) from sub-district scale to local scale facility (including associated reduction in land area).</li> <li>Amendment to include reference to indicative size and scale of CF05 proposed gross floor area of 2,400sqm (consistent with Wollongong Social Infrastructure Planning Framework (2018 – 2028), land area of 3,090sqm (consistent with Council's Draft exhibited Centre Master Plan for Marshall Mount).</li> <li>Change to the indicative timing for community facility items to reflect population based thresholds as an indication of when community facility items will be delivered.</li> </ul>
Figure 4 Map – Community Facilities	<ul style="list-style-type: none"> <li>Update map legend to include reference to CF05 being local community facility.</li> </ul>
Transport 4.3.4 Nexus and apportionment	<ul style="list-style-type: none"> <li>Update items and apportionment to Calderwood (by section) to - <ul style="list-style-type: none"> <li>TR 16 Yallah Road – Y1 and Y2 (13.5%), Y3, Y4, IN62 (35.7%),</li> <li>TR17 Marshall Mount Road – MM1 (76.8%), MM2 &amp; MM3 (58.4%), MM4 – MM6 (36.3%), IN55 (28.4%), IN56 (80.9%), IN57 (77.1%).</li> <li>TR29 Marshall Mount Town Centre Bypass – IN61 35.7%, NR56 – NR58 (79.4%)</li> <li>TR25 Western Ring Road – Shone Avenue to Yallah Road – NR40 – NR44, IN53 and IN54 (14.5%).</li> </ul> </li> </ul>
Transport Table 11 Transport Summary of road items Table 12 Transport Road sections	<ul style="list-style-type: none"> <li>New item added to the <i>TR37 – Rainbird Drive extension to Darkes Road</i>. Location (stage) 1-2, indicative timing 2028-2029, length 354m, 2 travel lanes 2 parking lanes, 21.9m width.</li> </ul>

Figure 8 Map – transport (Sheet 4)	<ul style="list-style-type: none"> <li>Update map to include new road length as contributions plan road.</li> </ul>
Transport Table 11 Transport Summary of road items Table 13 Bridges and rail crossings Figure 8 Map – transport (Sheet 7 and 8)	<ul style="list-style-type: none"> <li>New item added to schedule <i>TR38 - YMM Northern bypass (bridge)</i>. Location (stage) 5, indicative timing 2032– 2033, bridge length 28m, 2 travel lanes plus shared pathway (both sides).</li> <li>Update map to include bridge as contributions plan item connecting Duck Creek Marshall Vale and Woodville Neighbourhood Plan Areas.</li> </ul>
4.6 Contribution Rates Table 18 Summary of contribution rates calculated in clauses 4.1 to 4.5 Table 19 Residential contribution rates by dwelling type Table 20 Residential contribution rates by dwelling type and infrastructure category	<ul style="list-style-type: none"> <li>Change to contribution rates in response to changes itemised in this attachment.</li> </ul>
Part 5 Schedules and Maps Schedule 1 Open space and recreation	<ul style="list-style-type: none"> <li>Potential change to cost of land pending discussion with IPART to determine if updated costings can be integrated into final contribution plan.</li> </ul>
Part 5 Schedules and Maps Schedule 2 Community Facilities	<ul style="list-style-type: none"> <li>Reduction in the cost of land for CF05 resulting from change from sub-district to local scale facility.</li> <li>Change to underlying land zoning assumption for CF03 (Bong Bong Community Facility), CF05 (Yallah Marshall Mount Community Facility) and CF06 (Avondale Community Facility) to commercial zoning. This will change the cost of land.</li> </ul>
Part 5 Schedules and Maps Schedule 3 Transport	<ul style="list-style-type: none"> <li>New items TR37 and TR38 to be added to the schedule.</li> <li>Potential change to cost of works and land pending discussion with IPART to determine if updated designs and costing can be integrated into final contribution plan.</li> <li>Update apportionment of TR16, TR17 TR25 and TR29 to be consistent with changes itemised above.</li> </ul>
Changes to the plan to correct minor typographical errors or inconsistent numbering.	

In addition to the above, IPART will be requested to consider the following -

\*Council's preference for removal of the Western Ring Road Transport Infrastructure Items from the draft Development Contribution Plan subject to the State Government committing to fund these Items under a separate arrangement, and

\*Council's preference to use actual and more detailed costing of Infrastructure Items and acquisition costs.



## Department of Planning, Housing and Infrastructure

Our ref: IRF24/142

Mr Greg Doyle  
General Manager  
Wollongong City Council  
Locked Bag 8821  
WOLLONGONG DC NSW 2500

Attention: Ms Linda Davis, Director Planning and Environment

4 March 2024

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### Subject: Draft West Dapto Contributions Plan 2024

Dear Mr Doyle

I am writing in relation to the draft section 7.11 contributions plan 'West Dapto 2024' which Wollongong City Council recently exhibited, and issues raised by council staff as they respond to submissions made on the plan.

I note that industry stakeholders raise questions that extend beyond the perceived duplication of transport infrastructure items. I've set out some feedback on the issues raised by the council's planning director Linda Davis in an email on 20 February 2024.

#### 1. Housing and productivity contribution

The department has robust and transparent governance arrangements around the allocation of infrastructure funding. Guidelines are prepared for our programs that outline key program details, eligibility criteria, mandatory and selection criteria, assessment processes and timeframes for the implementation.

For example, the State voluntary planning agreement program is overseen by a Housing Coordination Committee, comprising senior executives of NSW government agencies. For the new housing and productivity contribution, the department is working to stand up a comprehensive governance framework from mid-2024.

The Urban Development Program Committees which councils currently sit on, alongside other stakeholders, will have a key role to play in determining the priorities for investment through the preparation of an Infrastructure Opportunities Plan.

#### 2. Removal of infrastructure from West Dapto 2024 contributions plan

The department recommends that the council doesn't pre-emptively remove infrastructure from their plan that it considers is needed to support new development, as this risks funding shortfalls and delays in the delivery of infrastructure.

The Independent Pricing and Regulatory Tribunal (IPART) will undertake an independent review of the plan to ensure that it reflects the reasonable costs of providing necessary local



## Department of Planning, Housing and Infrastructure

infrastructure to support development. Once IPART completes its review, it will be considered by the department. The Ministers nominee in the department will then direct the council on any amendments required, including to remove items or reduce costs, prior to the plan commencing.

### 3. Funding for the Spine Road

The West Lake Illawarra Major Spine Road, identified in the former Illawarra Shoalhaven Special Infrastructure Contribution Determination 2021, remains a priority infrastructure item for the region.

As it was in the former scheme, it will be included in the new infrastructure opportunities plan currently being prepared and will be considered for funding through the processes being established for the Housing and Productivity Contribution.

### 4. Next steps

Council should consider the issues raised in submissions on the draft plan and submit the amended plan to IPART for their review.

If you have any questions in relation to this matter, please contact [REDACTED], Director Local Infrastructure Funding Policy at the department on [REDACTED]

Yours sincerely,

[REDACTED]

Executive Director

Infrastructure Policy

### Attachment 4 - Western Ring Road and Northcliffe Drive Extension Transport Infrastructure Items

Western Ring Road and Northcliffe Drive extension Transport Infrastructure items included in the current adopted 2020 West Dapto Development Contributions Plan (2020 Plan) and the draft exhibited West Dapto Development Contributions Plan 2024 (Draft 2024 Plan)

CP 2020 and draft 2024 Infrastructure Item and Reference	Cost to West Dapto Development Contributions Plan	
	2020 Plan	Draft 2024 Plan
TR16 Yallah Rd - (Y1-Y4)	\$ 21,934,497	\$28,763,802
TR18 Northcliffe Dr Extension - Princes Hwy to Paynes (NR3-NR12)	\$ 70,097,250	\$194,905,186
TR19 Northcliffe Dr Extension - Sheaffes Rd to West Dapto Rd (NR13-NR19)	\$ 12,916,567	\$40,098,248
TR25 West Ring Road - Shone Avenue to Yallah Road (NR28-NR44)	\$ 123,082,211	\$177,947,261
Sub Total	\$ 228,030,525	\$441,714,497
Other road components where there is part duplication with the Road Spine		
WD17	\$222,431	\$509,950
TR08 (Shone) IN19	\$22,737	\$322,917
TR01 (West Dapto Rd) IN10.	\$1,150,183	\$91,132
TR01 (West Dapto Rd) B23	\$244,265	\$428,731
TR08 (Shone) S1	\$2,989,184	\$291,661
TR08 (Shone) S2,	\$18,530	\$191,677
TR08 (Shone), IN24	\$500,206	\$599,770
TR16 Yallah - (Y1-Y4) (Calderwood)*	\$7,019,598	\$6,211,869
Sub Total	\$12,167,134	\$8,647,707
<b>Total CP ITEMS</b>	<b>\$ 240,197,659</b>	<b>\$450,362,204</b>

\* cost apportioned to Calderwood traffic