



IPART Independent
Pricing and Regulatory
Tribunal | NSW

Assessment of West Dapto Development Contributions Plan 2024

Wollongong City Council

Final Report

December 2024

Local Government »

Acknowledgment of Country

IPART acknowledges the Traditional Custodians of the lands where we work and live. We pay respect to Elders both past and present.

We recognise the unique cultural and spiritual relationship and celebrate the contributions of First Nations peoples.

Local Government Committee Members

The Local Government Committee members for this review are:

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The Independent Pricing and Regulatory Tribunal

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Contents

1	Executive Summary	1
2	Introduction	2
2.1	IPART's Role	2
2.2	West Dapto Development Contributions Plan 2024	2
2.3	Our Assessment of the WD CP	3
2.4	What we found	4
2.5	Recommendations	4
3	West Dapto Development Contributions Plan	6
3.1	The West Dapto Urban Release Area development	6
3.2	Contributions Plan – West Dapto 2024	7
3.3	Items included in the WD CP	7
3.4	Contribution rates in the WD CP	8
4	Assessment of West Dapto Contributions Plan (2024)	10
4.1	Overview	10
4.2	Essential Works List	10
4.3	Nexus	12
4.4	Reasonable Cost	14
4.5	Apportionment	26
4.6	Timing	28
4.7	Community Liaison and Publicity	29
4.8	Any other matters	30

1 Executive Summary

Wollongong City Council (the council) submitted the *West Dapto Development Contributions Plan 2024 (WD CP)* to IPART for assessment on 15 April 2024.¹ We released a [Draft Report](#) in September 2024. We received [6 submissions](#) on the Draft Report.

Several submissions on the Draft Report raised concerns about the version of the CP we assessed.² Initially, IPART reviewed the [exhibited WD CP \(revision 16, October 2023\)](#) which was submitted to IPART for review in April 2024.

In June 2024, the council provided IPART with the [post-exhibition WD CP \(revision 17, March 2024\)](#).³ This version reflects the proposed changes to the WD CP endorsed by the council to be submitted to and considered by IPART on 18 March 2024³ and incorporates the post-exhibition amendments made in response to submissions the council received.

We carefully considered feedback on the Draft Report and decided to revise our draft assessment to include the material in the post-exhibition version of the CP. We considered this was the best course of action to avoid confusion and ensure that the council can adopt the most current version of the CP. On 11 November 2024, we issued a [Revised Draft Report](#) on our assessment of the post-exhibition WD CP provided to IPART in June 2024. We received [one submission](#) on our Revised Draft Report.⁴

The WD CP covers the West Dapto Urban Release Area (WDURA) and has a net developable area (NDA) of 1722.1 hectares.⁵ Residential development will account for around 1,452 hectares, with 248 hectares zoned for industrial land and 22 hectares zoned for commercial, which will support light industry, retail, business and community uses.⁶ The council expects development to continue beyond 2060.⁷

The WDURA had a population of around 7,000 people in 2,300 homes before the WD CP started. More than 2,000 dwellings, for 6,000 new residents, have been built since the start of the plan⁸. The development is expected to deliver almost 20,000 homes for more than 60,000 people.⁹

The Council estimates the total cost of the WD CP is around \$1.57 billion over almost 60 years. Noting that we have not made any recommendation to change costs in the WD CP, we consider that the total cost of works and land outlined in the WD CP is reasonable. The estimated residential development contribution rate for a typical dwelling would be about \$79,318.

We have made recommendations for the council to address in the next amendment of the WD CP, including to update stormwater infrastructure requirements once the stormwater master plan has been completed, consider including a land acquisition allowance and provide more information about the provision of open space through planning agreements. We have also recommended that the council update the WD CP if it receives grants for any infrastructure included in the plan.

^a Any reference to the WD CP in this Revised Draft Report from this point on refers to the post-exhibition WD CP provided to IPART in June 2024.

2 Introduction

New development is essential to provide housing for NSW's growing population and more commercial, retail, and industrial space for employment. When development occurs, local councils need to provide additional infrastructure to support both the development and the new community – for example, new roads, stormwater management and open spaces. In NSW, councils can require developers to contribute to the cost of providing that infrastructure.

2.1 IPART's Role

Contributions plans set out the local infrastructure required to meet the demand from new development, and the contributions a council can levy on developers to fund the necessary land and works.^b Currently, a contributions plan that proposes a level of contributions above a threshold of \$30,000 per lot or dwelling in identified greenfield areas and \$20,000 per dwelling in other areas must be submitted to IPART for review.

IPART provides its assessment to the Minister for Planning and Public Spaces about whether the plan complies with the essential works list and other criteria set out in the Infrastructure Contributions Practice Note (2019 Practice Note) published by the Department of Planning, Housing and Infrastructure (DPHI). The 2019 Practice Note must be read in conjunction with the Development Contributions Practice Notes, July 2005 (2005 Practice Notes) which outline the requirements for local councils in preparing and administering their contributions plans.

2.2 West Dapto Development Contributions Plan 2024

The council submitted the exhibited WD CP to IPART for assessment on 15 April 2024. The post-exhibition WD CP was provided to IPART on 14 June 2024. The assessment presented in this Final Report is an assessment of the post-exhibition WD CP provided to IPART in June 2024. This is the version that the council wants to adopt.

The council is seeking to levy development contributions above the applicable \$30,000 cap per lot/dwelling. This is the third time IPART has reviewed the WD CP.

^b Section 7.11 of the Environment Planning and Assessment Act 1979 allows councils to levy contributions towards the cost of providing local infrastructure.

2.3 Our Assessment of the WD CP

IPART must review the WD CP and provide its assessment to the Minister for Planning and Public Spaces (Minister). The Minister (or the Minister's nominee) may require the council to make changes to the plan. After the council makes any changes and adopts the plan, the council can levy the contributions rate above the cap, as calculated under the adopted plan.

We assessed the WD CP against the 2019 [Practice Note](#) criteria:

1. Public amenities and services in the plan are on the **essential works list** as identified within the Practice Note.
2. Public amenities and services are reasonable in terms of **nexus** (i.e. there is a connection between the development and demand created).
3. Development contribution is based on a **reasonable estimate of the cost** of the public amenities and services.
4. Public amenities and services can be provided within a **reasonable timeframe**.
5. Development contribution is based on a **reasonable apportionment** between:
 - a. existing and new demand for the public amenities and services, and
 - b. different types of development that generate new demand for the public amenities and services (e.g. different types of residential development such as detached dwellings and multi-unit dwellings, and different land uses such as residential, commercial, and industrial).
6. Council has conducted appropriate **community liaison** and publicity in preparing the contributions plan.
7. **Other matters** IPART considers relevant.¹⁰

Our assessment of the WD CP involved reviewing the contributions plan and supporting documentation supplied by the council, including the council's application form, the works schedule, strategic studies, and consultant reports. We also made several requests for further information from the council and conducted a visit to the council and the development site to assist us in assessing the plan.

This Final Report is an assessment of the post-exhibition (revision 17, March 2024) WD CP provided to IPART in June 2024.

For more details on our assessment approach, please see our [Information Paper](#).

The remaining sections of this Final Report provide a background of the WD CP, our assessment of the plan, our recommendations and recommended contributions rates.

2.4 What we found

We found that the WD CP satisfactorily meets the 2019 Practice Note criteria (see Figure 2.1). We have made recommendations for the council to address in the next amendment of the WD CP, including to update stormwater infrastructure requirements once the stormwater master plan has been completed, consider including a land acquisition allowance and provide more information about the provision of open space through planning agreements. We have also recommended that the council update the WD CP if it receives grants for any infrastructure included in the plan.

Noting that we have not made any recommendation to change costs in the WD CP, we consider that the total cost of works and land outlined in the WD CP is reasonable. The total cost of the WD CP is around \$1.57 billion over almost 60 years. The estimated residential development contribution rate for a typical dwelling would be about \$79,318.

Figure 2.1 Summary of our assessment of the WD CP

Essential Works List	Nexus	Reasonable Cost	Reasonable apportionment	Reasonable timeframe	Community consultation	Other matters
						
Demonstrated	Demonstrated	Demonstrated	Demonstrated	Demonstrated	Demonstrated	Demonstrated

2.5 Recommendations

Recommendations

- | | | |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| 1. | The council ensures that any necessary changes are made to the scope and costs of infrastructure in the WD CP based on the Stormwater Masterplan prior to its next submission to IPART. | 13 |
| 2. | The council should review costs and adjust for any grant funding received following the adoption of the plan. | 19 |
| 3. | Prior to the councils next submission to IPART, the council should review the inclusion of a land acquisition allowance for the purposes of land acquisition under <i>the Land Acquisition (Just Terms Compensation) Act 1991</i> . | 25 |
| 4. | The council should provide documentation and quantitative information regarding the amount of open space being provided by developers in its next submission to IPART. | 31 |

Figure 2.2 Review timeline for WD CP



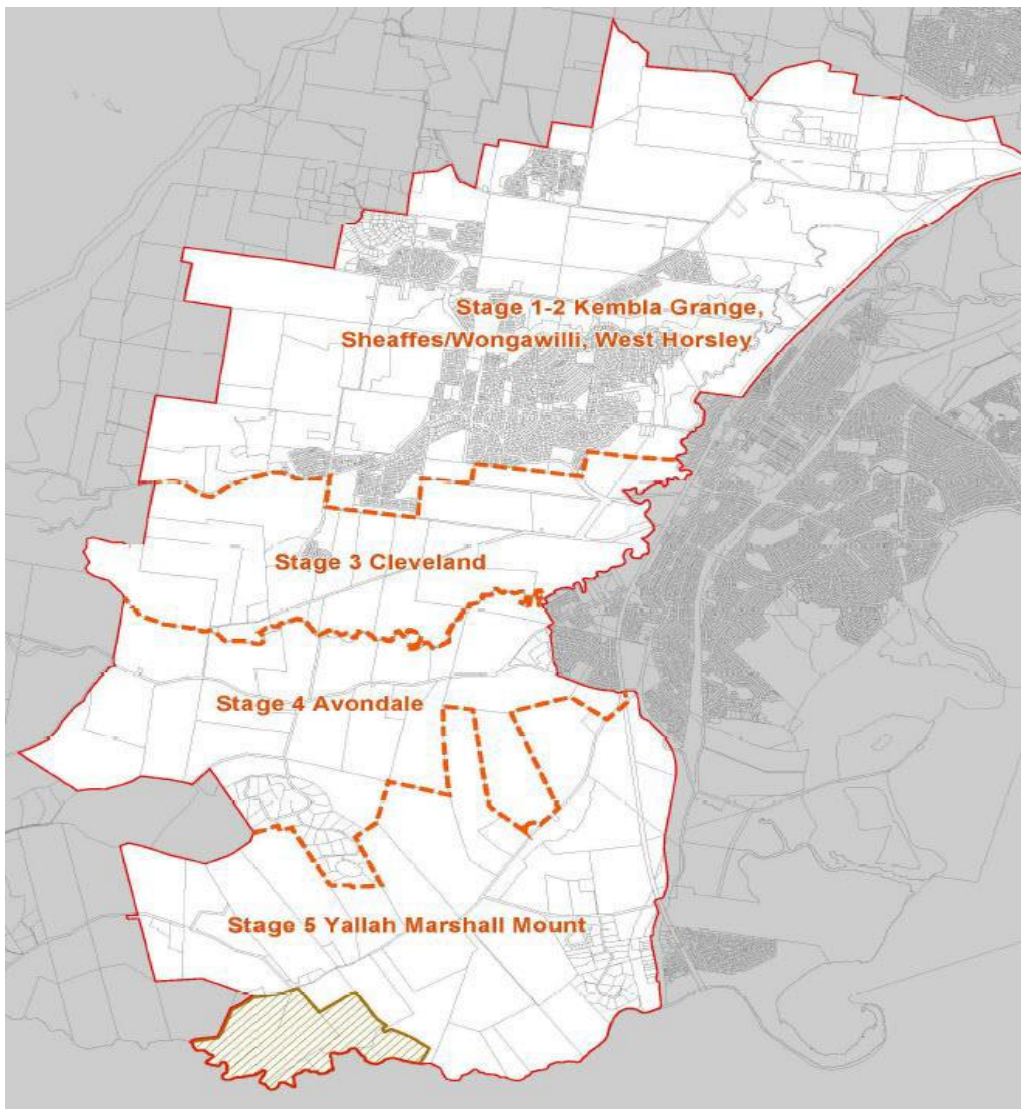
3 West Dapto Development Contributions Plan

3.1 The West Dapto Urban Release Area development

The WD CP covers the West Dapto Urban Release Area (WDURA), within the Wollongong local government area and has a net developable area (NDA) of 1722.1 hectares.¹¹ The total area of the WDURA covers approximately 4,700 hectares.¹²

The precinct is bounded by Dombarton and Farmborough Heights to the North, Alberton Park and Calderwood to the South and Dapto and the M1 Motorway to the East. The plan covers six suburbs. Although development has proceeded predominantly in the North, the stages are largely a point of reference for each area in the works schedule and CP (see Figure 3.1).¹³

Figure 3.1 Map of West Dapto Urban Release Area



Source: Wollongong City Council, *West Dapto Development Contributions Plan 2024*, p 7. [W24/1415]

The precinct was formerly mainly a rural and rural residential environment. Stage 1, 2, 3 and 5 of the plan have been zoned for urban development to include residences and neighbourhood centres, commercial and industrial space.¹⁴ The land in the plan is subject to rezoning for various uses to support its incoming population, including residential, retail/mixed use, commercial/industrial, traffic, transport, stormwater management, recreation and open space purposes.

Prior to development, the WDURA had a population of around 7,000 people in 2,300 homes. Up to 20,000 new dwellings are expected to support a population of more than 60,000 people by 2062.¹⁵ Since the start of the plan, more than 6,000 additional residents in 2,000 new dwellings have been delivered in the WDURA.^{16c}

Residential development is estimated to comprise 1,452 hectares of total net developable area. The remaining land is divided between 248 hectares zoned for industrial land and 22 hectares zoned for commercial.¹⁷ This includes plans for significant light industry as well as retail, business and community use floorspace.

3.2 Contributions Plan – West Dapto 2024

To support development in the precinct, the plan levies contributions for traffic and transport facilities, stormwater management infrastructure and open space and recreation facilities.

This plan was submitted to IPART for review on 14 June 2024¹⁸. The council has indicated its intention to adopt the plan after receipt of the Minister's advice following IPART's assessment.

3.3 Items included in the WD CP

The WD CP includes total development contributions of about \$1.57 billion, which covers the land, works and plan administration items associated with the development in the precinct.¹⁹

3.3.1 Stormwater works

The plan proposes to deliver about \$115.5 million worth of stormwater works items within the precinct.²⁰ The WDURA has two separate catchments, one including Forest, Robins, Reed and Mullet Creeks (located in Stages 1-4 of the plan), and the other encompassing Duck Creek (located in Stage 5). The residential areas of West Dapto have been designed to be above the 1% Annual Exceedance Probability (AEP) flood level according to its development Control Plan.²¹

These works include detention basins, enhanced storage areas, gross pollutant traps (GPTs) and drainage.²² The full list of stormwater infrastructure items and associated costs are listed in Table 4.2.

^c The [online submission to the Draft Report from DFP planning consultants](#) on behalf of Esker Pty Ltd and Woodcote Developments noted that in the exhibited (October 2023) version of the CP, the forecast total number of dwellings for stage 5 was 3,703, whereas the dwelling yield for stage 5 is expected to be more than 4,200 dwellings. This matter was addressed by the council and is in the [post-exhibition WD CP](#).

3.3.2 Transport works

The plan intends to deliver about \$984.9 million worth of transport works items within the precinct.²³

These works include road upgrades, collector roads, sub-arterial roads, local roads, half road frontage, roundabouts, bus shelters and traffic controls and signals.²⁴ The full list of transport infrastructure items and associated costs are listed in Table 4.3.

3.3.3 Open space embellishment

The WD CP proposes about \$265.7 million in works to local parks, district parks and sporting facilities.²⁵

The open space embellishment items in the WD CP include landscaping, park furniture, playgrounds and play equipment, sporting fields and car parking.²⁶

The full list of items and associated costs are listed below in Table 4.4.

3.3.4 Land

The WD CP includes about \$184.6 million in land costs to acquire 463 hectares of land, of which approximately 15 hectares has been acquired by the council.²⁷ The council must acquire 116.4 hectares of land for drainage, 241.5 hectares for transport works, 103 hectares of land for local open space and recreation and 2.2 hectares for community facilities.²⁸

Land acquisitions are planned to allow for stormwater infrastructure, traffic and transport management and open space and recreation. A list of land costs per/m² can be found in Table 4.5.

Plan administration

The WD CP includes a plan management and administration cost of around \$20.5 million.²⁹ This is based on 1.5% of the total works costs.

Indexation

The WD CP proposes 2 indexes to be applied in the plan. These are:

- Consumer Price Index (CPI), applied to works cost estimates and to the base contribution rate at the time of payment³⁰
- Wollongong Local Annual Land Value Index (LVI) applied to land cost estimates.³¹

3.4 Contribution rates in the WD CP

The WD CP levies contributions to each development based on the relevant apportionment of the total costs of the land, works and plan administration items (where relevant) required to service the development.

The WD CP sets out the proposed contribution rates for residential dwellings and non-residential development. Table 3.1 sets out the council's proposed contributions rates for each development type.

Table 3.1 WD CP contributions rates (\$Jun23)

Development Type	Plan Contributions Rate
Residential – per lot/dwelling	
Subdivision (per lot), dwelling house, semi-detached & dual occupancy	79,318
Secondary Dwelling	34,702
Multi-unit housing 4+ bedrooms	71,882
Multi-unit housing 3+ bedrooms	61,967
Multi-unit housing 2+ bedrooms	54,531
Multi-unit housing 1+ bedrooms	42,138
Non-Residential – per hectare	
Commercial	630,912
Industrial	198,217

Source: Wollongong City Council, *West Dapto Development Contributions Plan 2024*, table 2, p 5.

4 Assessment of West Dapto Contributions Plan (2024)

This section provides our assessment of the WD CP. It includes our assessment of each of the [2019 Practice Note](#) criteria, broken down by works category or issue, and our recommendations.

4.1 Overview

We assessed the WD CP against the criteria in the [2019 Practice Note](#). For more details on our assessment approach, please see our [Information Paper](#).

We found that the WD CP meets the Practice Note criteria. In Table 4.1 we present a summary of our assessment of each infrastructure category and issues relating across all categories.

Table 4.1 Summary of our assessment of the WD CP

Criteria	Stormwater	Transport	Open space	Land	Plan administration
Essential works list	Criteria met	Criteria met	Criteria met	Criteria met	Criteria met
Nexus	Criteria met	Criteria met	Criteria met	Criteria met	Criteria met
Reasonable cost	Criteria met	Criteria met	Criteria met	Criteria met	Criteria met
Apportionment	Criteria met	Criteria met	Criteria met	Criteria met	Criteria met
Timing	Criteria met	Criteria met	Criteria met	Criteria met	N/A
Community liaison	Criteria met	Criteria met	Criteria met	Criteria met	Criteria met
Other Matters	Criteria met	Criteria met	Criteria met	Criteria met	Criteria met

4.2 Essential Works List

4.2.1 Stormwater

The council proposes \$115.5 million of stormwater works in the WD CP, and \$40.2 million in land acquisitions.³² The WD CP stormwater works include wetlands basins, detention basins, raingardens, gross pollutant traps (GPTs) and drainage. For the full set of stormwater works, see Table 4.2.

Our review of the proposed stormwater infrastructure works items within the WD CP are consistent with the [2019 Practice Note](#).

4.2.2 Transport

The council proposes \$984.9 million of transport works in the WD CP, and an associated \$77.3 million in land acquisitions.³³ The WD CP transport works include road upgrades, collector roads, arterial roads, local roads, roundabouts, bus shelters and traffic controls and signals. For the full set of transport works, see Table 4.3. There is a land component for all transport infrastructure items.

We consider that the transport infrastructure items proposed within the WD CP meets the description in [2019 Practice Note](#) essential works list for land and facilities for transport.³⁴

4.2.3 Open space

The WD CP proposes around \$264 million in local open space works to embellish 15 passive and active local parks, 3 district parks and 5 district sports parks, with an associated \$62.7 million in land acquisitions.³⁵ For the full set of open space items, see Table 4.4. There is a land component for all local open space infrastructure items.

The open space embellishment items in the WD CP include landscaping, park furniture, playgrounds and play equipment, sporting fields, recreation spaces and car parking. These items are consistent with the essential works list.

4.2.4 Land

The WD CP includes about \$184.6 million of land costs³⁶ for 463 hectares of land. The land acquisitions in the plan are for stormwater infrastructure, traffic and transport management and open space and recreation.

We consider that the land proposed within WD CP is consistent with the essential works list.

A [submission](#) on the Draft Report by DFP Planning Consultants on behalf of Esker Pty Ltd and Woodcote Development Pty Ltd (DFP)³⁷ raised concerns about whether the land for a community facility (CF05) should be on the essential works list. Land for community services is specified on the essential works list therefore we consider the land provided for CF05 and other community facilities in WD CP to be consistent with the essential works list.³⁸ We note that works costs for community facilities are not included on the essential works list and they have not been included in the WD CP.

4.2.5 Plan administration

The WD CP includes about \$20.5 million for plan management and administration costs.³⁹ This is based on 1.5% of the total works costs for stormwater, transport and local open space.

Administration costs in the plan include plan preparation, calculating contributions on developments, indexing contributions, assessing requests for exemptions and monitoring rates of development, contributions received and expenditure. The cost of supporting studies and of reviewing the plan every 3 years are also incorporated into the plan's administration costs. We consider that the proposed plan management and administration cost within the WD CP is consistent with the essential works list.

4.3 Nexus

4.3.1 Stormwater


The council's provision of stormwater infrastructure is based on a number of documents, most importantly the *West Dapto Review Flooding and Stormwater Strategy* prepared by Bewsher Consulting in 2008 and the *Water Cycle Management Study* by URS in 2004. These reports outlined a broad strategy for stormwater infrastructure and flood management in the WDURA, with more detail on the needs of individual catchments of the CP subsequently provided in documents such as the 2018 *Mullet Creek Flood Model Update*.

In IPART's previous [review of the West Dapto CP in 2020](#), we recommended the council ensure that stormwater infrastructure provisions and locations were consistent with the revised Flood Risk Management Study and Plan that was set for completion in 2021. However, the document was only ready and adopted in May 2023, delaying development of a Stormwater Masterplan. The council is currently budgeted for a Masterplan, with completion expected in mid-2025.

The scope of stormwater works in the CP is therefore unchanged from the 2020 iteration of the plan. We consider that the council has established nexus for stormwater management infrastructure in the plan. However, we recommend the council ensure that the Masterplan and any changes it advises to the location and scope of infrastructure in the plan are adopted prior to its next submission to IPART.

A [submission](#) from DFP on the Draft Report questioned whether nexus has been established for stormwater infrastructure between the different stages of the plan. We respond to the question of apportionment of infrastructure between the different stages of the development below in section 4.5, however we note that the council's approach to the contributions plan as a whole, rather than separate catchments based on the stage of the development, is consistent with the [Minister's nominee's direction on the 2020 WD CP](#).⁴⁰ On that basis, we consider that the council has established nexus between the stormwater infrastructure in the CP and the development as a whole.

Recommendations

1.  The council ensures that any necessary changes are made to the scope and costs of infrastructure in the WD CP based on the Stormwater Masterplan prior to its next submission to IPART.

4.3.2 Transport

The council based its transport infrastructure needs on several broad studies and assessments, most notably the 2008 *West Dapto Masterplan Traffic & Transport Review* conducted by Urbanhorizon and the 2010 *West Dapto Urban Release Area – Integrated Transport Plan* produced by AECOM. For our assessment of the 2016 iteration of the CP we engaged transport consultants ARRB Group Ltd (ARRB) to examine nexus and reasonable cost of transport items. ARRB concluded that nexus was established for transport items in the CP based on the studies employed by the council.

Since 2020, the scope of transport works in the WD CP has been largely unchanged. The council has provided QS reports for 10 of 29 new or upgraded roads in the works schedule. These represent up to date design and cost estimates for items for which nexus was already established. We acknowledge that the original studies establishing nexus are nearing 15-20 years old at this stage, however we note the council continues to take a proactive role in updating and internally reviewing the transport needs of the plan. This includes establishing up to date designs for major roads in the plan and wider regional considerations, such as concurrent development as part of the Illawarra-Shoalhaven Regional Plan 2041.

Transport infrastructure is largely the same as in previous reviews of the plan and the basis of its inclusion remains relevant. We therefore concluded that nexus is established for the transport items in the WD CP.

4.3.3 Open space

Open space needs in the WDURA were originally based on the findings of the 2007 *Social, Cultural and Recreation Needs Study* prepared by Elton. Following our review of the 2020 West Dapto Contributions Plan, the council commissioned a new *Social Infrastructure Needs Assessment* (SINA), which was delivered in 2023. This was completed in response to IPART's recommendation that the open space needs of the WDURA be examined prior to any future review. The 2023 SINA incorporated new information such as a larger projected increase in population and new planning documents such as the *West Dapto Vision 2018*. It was also informed by more contemporary standards for the provision of open space, such as the aim to "Ensure 85-90% of residents within WDURA are located within a 5-7 minute walk of high quality and functional open space".⁴¹

These principles and the recommendations of the SINA have guided revisions to open space in the WD CP. The study identified the need for significant increases in open space quantity and sporting facilities, recommending the CP adopt a further 87.8 hectares of open space by 2058. It also recommended that 7 parks be expanded and converted to include district level sporting grounds. This study establishes nexus for the expanded open space and embellishment proposed in the WD CP.

4.3.4 Plan administration

The WD CP includes plan administration costs to cover the costs of council staff time to prepare and review the contributions plan, commission technical studies, accounting for contributions receipts and expenditure, and coordinate the implementation of works.⁴²

The costs will also cover the costs of consultant studies that are commissioned for land valuations and designs and cost of works, and for reviewing the development and demand assumptions in the plan.

As these costs arise directly because of development within the precinct, there is established nexus for administration costs in the plan.

4.4 Reasonable Cost

4.4.1 Stormwater works

We consider that the costs for individual stormwater works items in the WD CP are reasonable. The costs for stormwater works are shown in Table 4.2.

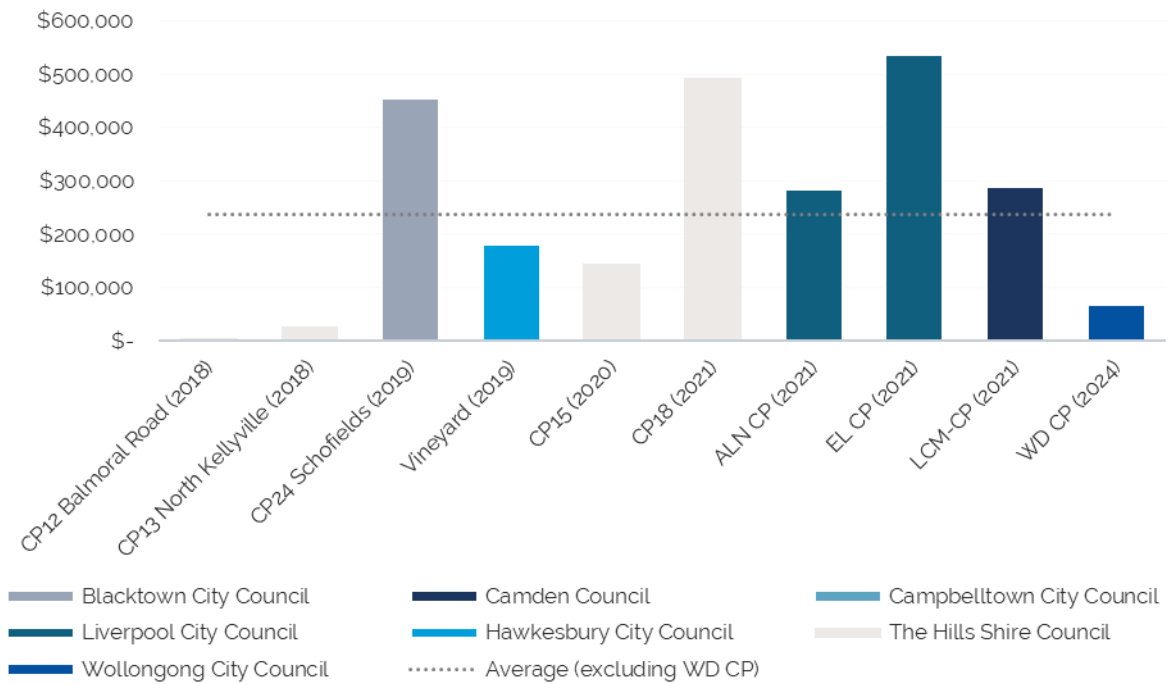
Table 4.2 Costs for stormwater works in the WD CP (\$Jun23)

ID	Description	Cost
SM01	Detention basins (including gross pollutant trap)	58,391,765
SM02	Enhanced storage areas – Forest Creek	6,313,578
SM03	Enhanced storage areas – Robins Creek	4,209,052
SM04	Enhanced storage areas – Reed Creek	3,507,543
SM05	Enhanced storage areas – Mullet Creek	4,910,560
SM06	Enhanced storage areas – Duck Creek	8,418,103
SM07	Trunk Drainage	29,753,199
Total		115,503,800

Source: Wollongong City Council, WD CP 2024, Schedule 4: Stormwater Management, page 70.

We compared stormwater works costs (per hectare of net developable area) in the plan to other plans that we have assessed and found that stormwater works in the WD CP of \$67,071 per hectare of net developable area is well below the average of other plans we have assessed.

Figure 4.1 Stormwater works cost per hectare of NDA (\$Jun23)



Source: IPART analysis, WD CP 2024 works per person and hectare of NDA, Stormwater per NDA costs Tab ID24/16736]

The base costs for detention basins, enhanced storage areas and trunk drainage works in the WD CP are based on the same technical studies and consultant advice used in the two previous iterations of the plan. These have been indexed but infrastructure provision and cost largely remains unchanged. We consider these costs remain reasonable; however, we note that Figure 4.1 demonstrates stormwater works costs per hectare are well below the average of other CPs.

Considering the age of the council's original cost estimates and supporting studies in the plan, it is possible that costs will increase with a future revision of scope and works. We encourage the council to review the scope and costs of stormwater works following the delivery of the master plan and include any changes in the next revision of the WD CP.

4.4.2 Transport works

Transport costs contribute a significant proportion of the plan, around 62.7% of the total costs of the WD CP. The cost of transport works totals \$985 million⁴³. The most expensive transport items involve planned new and upgraded major arterial roads, including the key arterial roads connecting the precinct to the Princes Highway. Construction of these roads total \$450 million and contribute approximately \$23,000 to the contribution rate of a standard dwelling.⁴⁴

Between the previous draft WD CP and the current WD CP, two new roads and one new bridge (TR37 and TR38) have been included in the plan. The [submission](#) from DFP sought clarification about the inclusion of the bridge in the WD CP⁴⁵ and the council has confirmed that this item was included in response to feedback on the exhibited WD CP (TR38).

The costs for transport works items are shown in Table 4.3.

Table 4.3 Costs for transport works in the WD CP (\$Jun23)

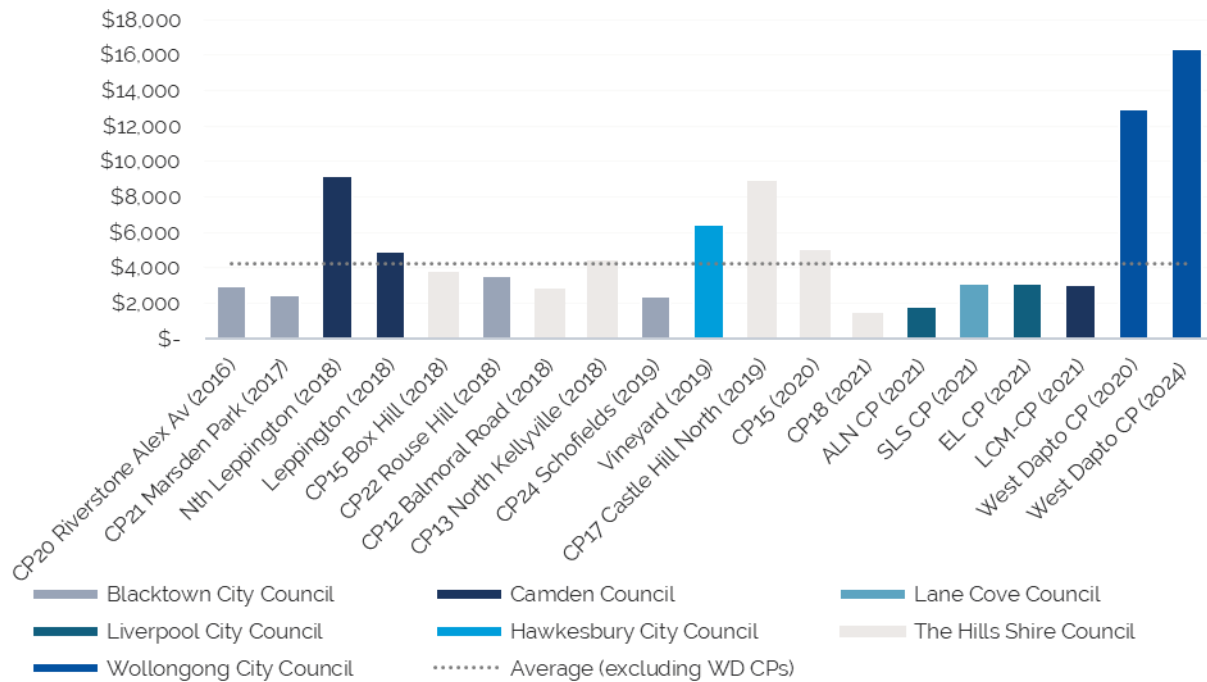
ID	Description	Cost to plan
TR01	West Dapto Road (Stage 1-2), existing road, 2/4 lanes, 5,008m	43,499,102
TR02	West Dapto Road Rail Crossing (Stage 1-2, completed), existing road, 2 lanes, 87m	2,756,755
TR03	Sheaffes Road (Stage 1-2), existing road, 2 lanes, 1,455m	12,835,207
TR04	Paynes Road (Stage 1-2) existing road, 2/4 lanes, 788m	16,102,617
TR05	Smiths Lane (Stage 1-2, completed) existing road, 2 lanes, 93m	3,865,740
TR06	Wongawilli Road (Stage 1-2), existing road, 2 lanes, 336m	6,292,866
TR07	Darkes Road (Stage 1-2), existing road, 2 lanes, 1,554m	23,251,005
TR08	Shone Road (Stage 1-2), existing road, 2/4 lanes, 1,365m	9,678,763
TR09	Bong Bong Road rail crossing (Stage 1-2)	0
TR10	Bong Bong Road (Stage 1-2), existing road, 2 lanes, 1,288m	14,756,088
TR11	Reddalls Road (Stage 1-2), existing road, 2 lanes, 490m	4,255,944
TR12	Wyllie Road (Stage 1-2), existing road, 2 lanes, 480m	4,020,192
TR13	Cleveland Road (Stage 3), existing road, 2/4 lanes, 4,862m	78,055,217
TR14	Avondale Road (Stage 4), existing road, 2/4 lanes, 3,302m	37,521,851
TR15	Huntley Road (Stage 4), existing road, 4 lanes, 1,169m	26,416,087
TR16	Yallah Road (Stage 5), existing road, 4 lanes, 1,720m	24,665,461
TR17	Marshall Mount Road (Stage 5), existing road, 4 lanes, 5,600m	42,828,780
TR18	Northcliffe Drive extension – east, Princes Hwy to Paynes Rd (Stage 1-2), new road, 4 lanes, 4,148m	190,318,186
TR19	Northcliffe Drive extension – west, Sheaffes Road to West Dapto Road (Stage 1-2), new road, 4 lanes, 1,108m	30,920,562
TR20	Iredell Road (Stage 1-2), new road, 2 lanes, 500m	14,217,259
TR21	Brooks Reach to Cleveland (east) (Stage 1-2),	14,293,810
TR22	Fairwater Drive (Stage 3) (Completed), new road, 2 lanes, 758m	12,431,897
TR23	Fowlers Road Extension (Stage 3) (Completed), new road, 4 lanes, 1,227m	35,456,480
TR24	Eastern link Road (Bong Bong Road to Fowlers Road) (Stage 3), new road, 2 lanes, 615m	12,680,741
TR25	Western Ring Road – Shone Avenue to Yallah Road (Stage 1-5), new road, 4 lanes, 7,419m	152,232,943
TR26	Brooks Reach to Huntly Link (Stage 3), new road, 2 lanes, 2,109m	42,147,476
TR27	Eastern Link Road (Fairwater Drive to Avondale Road)	15,475,294
TR28	Eastern Spine Road – Western Ring Road to Huntly Road (Stage 4), new road, 2 lanes, 1,425m	21,279,923
TR29	Marshall Mount Town Centre Bypass (Marshall Mount Road to Yallah Road) (Stage 5), new road, 2 lanes, 2,300m	7,371,315
TR30	Bus shelters	8,506,595
TR31	Bus Transport Kiosk	2,020,336
TR32	Stage 1-2 Shared Use Pathway	8,390,026
TR33	Stage 3 Shared Use Pathway	4,400,756
TR34	Stage 4 Shared Use Pathway	4,400,756
TR35	Stage 5 Shared Use Pathway	2,150,616
TR36	Shared Use Pathway Bridges	2,581,351
TR37	Rainbird Drive extension to Darkes Road	3,343,388
TR38	Northern Bypass	1,095,538
Total		984,932,035

Source: Wollongong City Council, WD CP, Works Schedule – West Dapto 2024 Plan, Transport Tab, column DP,

We examined the overall transport works included in WD CP and compared them to other plans we have assessed.

Overall, we found that transport works costs in the WD CP of \$16,205 per person are well above the range of other plans we have assessed (Figure 4.2).

Figure 4.2 Transport works cost per person (\$Jun23)



Source: IPART analysis, WD CP 2024 works costs per person and hectare of NDA, Transport p.p. works costs Tab ID24/16736I

Transport works costs in the WD CP are very high both as a percentage of the overall plan and compared to other contributions plans. A significant portion of this cost is derived from construction of new key arterial roads in the WDURA such as the Northcliffe Drive Extensions and the Western Ring Road. The council has attempted to obtain grants for these roads as in its view the significance of them goes beyond the scope of the development. The specific items in question are TR16, TR18, TR19 and TR25 in the works schedule.

These road constructions total roughly \$400 million, nearly half of transport works costs.⁴⁶ They also contribute roughly \$24,000 to the contributions rate of a standard dwelling. The council's studies establish that these items are critical to meeting the demand that will be generated by development as well as connecting the WDURA externally to other major roads. All these items have individual QS and design reports that are contemporary.

The council's position is that these items should be funded by the state government and removed from the CP as they function beyond the WDURA as major arterial roads. The council has sought grants for these items but has so far been unable to secure funding. DPHI has recommended at this stage that the items remain in the plan. While there is the potential for over recovery if grants are forthcoming, there is also a risk of a funding gap emerging in contributions plans if significant items are left unaccounted for as the plan reaches maturity. This would result in increased costs borne by the latter stages of development and/or ratepayers.

Given this, the critical nature of the infrastructure and the uncertainty about funding being received, we have decided that the transport costs are reasonable in the circumstances. We note that in our assessment of the 2020 iteration of the West Dapto Contributions Plan we recommended costs be reviewed if grant funding was provided. This later occurred with West Dapto Road (TR01), with \$22.9 million removed from the cost of transport works. On balance, we consider a similar approach is the best course of action for the current CP. We recommend the council review its costs and update them accordingly in the event that grant funding is secured.

Both the [council](#) and the [UDIA](#) raised concerns that the full cost of the Western Ring Road is included in the WD CP, especially because the cost of transport per person in the CP exceeds other contributions plans reviewed by IPART.⁴⁷ UDIA believes that the road should be state-funded and that a local contributions plan should not be used to fund a regional road upgrade as this unfairly places the cost burden on future residents of West Dapto.

The council supports this position however it is reluctant to remove the road because advice from DPHI recommends against removing infrastructure where there is no other clear source of funding. In its [submission](#) on our Revised Draft Report⁴⁸, the council reiterated its position that the Western Ring Road, including Northcliffe Drive Extension, should be removed, subject to a commitment from the State Government to fund this regionally important infrastructure. IPART supports the removal of the Western Ring Road from the CP if the council secures another source of funding.

The council's submission also noted the letter from DPHI of 4 March 2024 which acknowledges the importance of the Western Ring Road, confirming that the West Lake Illawarra Major Road Spine, (which the council considers to be made up of the Northcliffe Dr Extension and Western Ring Road) remains a priority infrastructure project for the region.⁴⁹

The council's submission on our Revised Draft Report noted these roads have benefit for all five stages of the WDURA and broader regional benefits beyond the release area.

The road was previously identified for funding through the Illawarra Shoalhaven Special Infrastructure Contributions (SIC), however since the replacement of the SIC with the Housing and Productivity Contribution (HPC), funding for the Western Ring Road had not been identified through the HPC and no new source of funding has been identified⁵⁰. However, we note that prior to the inclusion of the Western Ring Road in the SIC, these transport items were included in the 2016 WD CP, which had a comparable cost to the 2024 WD CP, including around \$937 million (in 2014 dollars) for transport.⁵¹

In reference to our recommendation that costs of infrastructure items be removed from the CP should grant funding be secured for the Western Ring Road, or other items in the CP, the UDIA raised concerns that developers, and subsequently people who purchase homes early, will be charged an additional \$23,000 per home if funding for the road does eventuate. UDIA suggests options such as deferring the charge (\$23,000 per lot) for 2-3 years to allow time for it to be considered for funding through other sources.⁵² While we note there may be a risk of levying more than what is required if grant funding is provided, we note the significant long-term risks for the council, and potentially ratepayers, if significant funding gaps arise from undercharging or deferring charges.

UDIA also asks that we avoid creating a process that would require the CP to be re-exhibited if grant funding is received.⁵³ While we understand this concern, the avenue we are proposing would avoid the requirement for IPART review, however, the council would still need to amend and re-exhibit the CP in accordance with the EP&A Regulation.⁵⁴

DFP submitted that a crossing over the C1 creek corridor is needed, and that the CP should include a bridge or culvert.⁵⁵ The council has confirmed that the C1 creek corridor is a Category 2 watercourse which requires a single span or bridge crossing rather than a culvert.⁵⁶

DFP also submitted that the cost of bridges should be reviewed to make sure that they are realistic.⁵⁷ We note that the council has developed the WD CP based on the costing information available at the time of submission to IPART and we consider the costs reasonable. The council has noted that infrastructure requirements and costings will be updated each time the WD CP is reviewed⁵⁸. We note that costs in contributions plans are the best estimate at a point in time and councils continue to adjust costs throughout the life of the plan.

Secured Grant Funding

Aside from the significant items mentioned above, the council is seeking grant funding for other items. The council has received grants totalling \$74.4m for roads which are outlined in the works schedule and are not included in the total costs. In June 2024, the council successfully applied for a partially funding grant for Cleveland Road (item TR13) through the NSW Housing Acceleration Fund. This was announced as part of the NSW State 2024-25 budget, although at the time of writing, the council is awaiting DPHI confirmation and creation of a funding agreement. The grant is in the amount of \$19.9 million, with the total costs of TR13 being \$81 million.⁵⁹ We recommend the council review costs and adjust the CP in response to any grant funding received.

Recommendation



2. The council should review costs and adjust for any grant funding received following the adoption of the plan.

Updated costs

The council's submission to our Draft Report provided information on new cost data which arrived for some infrastructure items after the exhibited version WD CP was submitted to IPART for review in April 2024. This includes some actual costs from acquisition of land which occurred after the adoption of the current plan and new more recent design documents and estimates for West Dapto Road, Northcliffe Drive Extension, Yallah/Marhsall Mount Roads and Darkes Sporting Park.⁶⁰ We have reviewed these costs and consider them to be reasonable as they are based on either actual costs to acquire land required for transport items or are based on design based costings for transport works. In our Revised Draft Report, we said that these costs were reflected in the post-exhibition WD CP. In its submission to our Revised Draft Report, the council clarified that these costs are not reflected in the WD CP. The council proposes that the updated information be included in the next amendment of the WD CP, and we agree this is a practical approach.

4.4.3 Open space works

The cost of open space embellishment works in the WD CP is about \$264 million. The costs for open space works in the WD CP are shown in Table 4.4.

Table 4.4 Costs for open space works in the WD CP (\$Jun23)

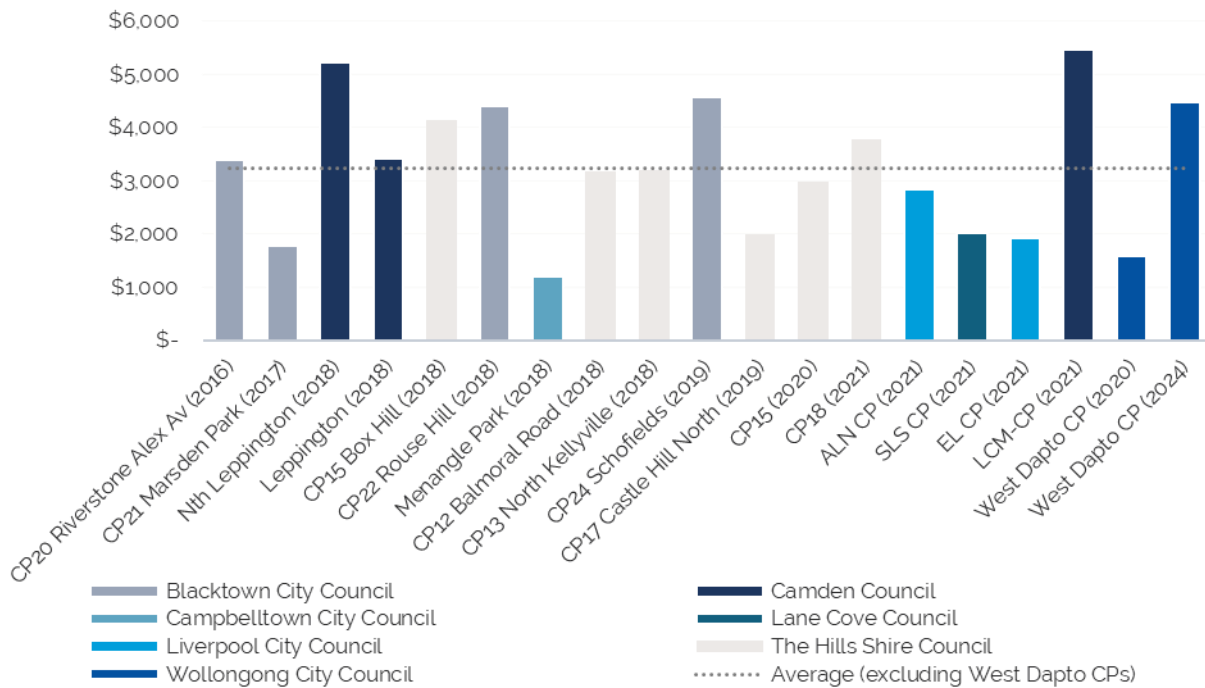
ID	Description	Cost
OS01	District Sports Park	32,158,578
OS02	Local Park	1,936,602
OS03	Local Park – Stane Dyke Park	937,804
OS04	Local Park - McPhail Reserve	1,047,182
OS05	Local Park - Mogomorra Park	881,390
OS06	District Recreation	10,041,262
OS07	Local Park	3,869,981
OS08	Local Park	3,237,567
OS09	Local Park - Bankbrook Park	908,009
OS10	District Park	20,301,532
OS11	District Park	32,158,578
OS12	Local Park	3,869,981
OS13	Community leisure and recreation centre (part only)	3,527,948
OS14	Local Park	3,237,567
OS15	Local Park	1,936,602
OS16	District Sport	32,158,578
OS17	District Sport	20,301,532
OS18	Local Park	3,869,981
OS19	District Sport	20,301,532
OS20	District Sport	32,158,578
OS21	Local Park	3,869,981
OS22	Local Park	3,869,981
OS23	District Sport	20,301,532
OS24	Local Park	3,237,567
OS25	Local Park	3,869,981
	Total	263,989,823

Source: Wollongong City Council, WD CP 2024, Schedule 1, page 65.

We assessed the overall costs of open space works in comparison to other plans. Overall, we found that open space works costs (per person) in the WD CP are \$4,344 per person.^d

^d IPART calculation based on population of 60,778 in Wollongong City Council, *West Dapto Development Contributions Plan 2024*, p17.

Figure 4.3 Open space works cost per person compared to other plans (\$Jun23)



Source: IPART analysis, *WD CP 2024 works costs per person and hectare of NDA*, Open space p.p. works costs Tab [D24/16736]

Figure 4.3 demonstrates that while above average, open space works costs in the WD CP are not out of step with other recent contributions plans. We also note that open space costs per person were well below the average in the previous version of the plan. The large increase reflects the age of the council's initial scope assessments and cost estimates (from 2008 and 2010 respectively) and the council's review of open space scope and works since 2020 and the recommendations of the updated 2023 SINA⁶¹.

Contemporary cost estimates for open space works in the plan were delivered by Genus Advisory before delivery of the updated 2023 SINA. These have been partially based on indexation of previous costs based on benchmarks, comparisons to other Wollongong plans and VPA agreements. Actual costs from the delivery of infrastructure have also been used where available. The basis of these cost estimates is reasonable.

While the increase in works costs over the previous iteration of the plan is significant, it has a sound basis informed by contemporary assessments in the open space needs of the WDURA. Cost increases have been driven by a professional evaluation that the council should increase open space quantity and quality in the CP area. We also note that this review of open space needs and costs was conducted on the basis of IPART's recommendation in our previous assessment. We therefore determine that open space works costs in the WD CP are reasonable.

DFP's submission on the Draft Report noted the significant increase in costs for open space and recommended that costs be informed by concept designs, use of C2 and C3 zoned land for recreation and use of existing open space in Horsley.⁶²

As noted above, the infrastructure requirements for open space have been established by the SINA and costs are supported by expert advice, benchmarks, comparisons to other plans, planning agreements and actual costs where available. We note that as WD CP progresses, more accurate costings will become available and will be incorporated into subsequent reviews of the plan.

We generally consider matters of land use and zoning to be planning matters and a matter for the council. We asked the council for its response to the suggestion of using land zoned C2 (Environmental Conservation) and C3 (Environment Management) to address open space requirements. The council advised that the objectives of C2 and C3 land are inconsistent with the types of open space that the council is seeking to fund through the WD CP – that is, accessible and active open space, such as for organised sports.⁶³ While C2 and C3 land in the Wollongong Local Environment Plan 2009 may allow for recreation, this would be more consistent with passive open space functions. The constraints of these zones limit the range of development and activities that can occur on that land so as not to impact the conservation and environmental values of the land.

In relation to the open space land in Horsley, the SINA establishes the need for open space and addresses this matter, noting that the surplus open space identified is unlikely to provide any significant capacity to meet the needs of the rest of the WDURA due to the marginal population growth in Horsley along with existing and future needs of Dapto residents.⁶⁴

DFP also noted that the scale of OS23, which is expected to deliver district sport outcomes, had changed, resulting in part of the open space item not being zoned RE1.⁶⁵ We note that the SINA determined the need for more open space for district sport and the change in scale reflects this. The council has advised that the neighbourhood plan is still in train, and this plan will determine the final land area for the open space item. We consider that the need for the increased scale of open space is established through the SINA and more accurate costs will be available following the finalisation of the neighbourhood plan. We support the principle that land value should be determined by the underlying zoning of the land, and we expect the council will use this method to calculate the land value when it next reviews the plan.

4.4.4 Community Facility CF05

DFP's submission on the Draft Report makes several comments relating to the Community Facility CF05, a multipurpose community centre and library. The submission questions the size and land requirements for the facility, the location of the facility and cost of land.⁶⁶

We note that the council has updated the scale of the facility between the exhibited version of the CP and the post-exhibition version of the CP which is the subject of this assessment. In response to feedback received from DFP on the council's exhibition of WD CP, the council has amended CF05 from a sub-district scale facility to a local scale facility.⁶⁷ This reduction in scale has resulted in the land requirements and cost of the facility also being reduced. In relation to the location and zoning of land, we consider that this is a planning matter and a matter for the council to resolve.

The council has advised that the final location of the facility is subject to the finalisation of detailed neighbourhood planning, consultation with the landholder and the development assessment process. In the council's submission on our Revised Draft Report, it advised that the council resolved to adopt the [West Dapto Centres Urban Design Report](#) on 24 June 2024, which provides further clarity on the location of the future Community Facility CF05.

Secured Grant Funding

In June 2024, grant funding from the Commonwealth Priority Community Infrastructure Program was secured to assist in construction of the Darkes Sporting Facility, item OS01 on the works schedule. The grant is for \$9 million, while the item's total cost is \$34.7 million.⁶⁸ The council is also seeking grant funding to assist in Stage 2 of OS01, including an additional \$0.7 million for design under the Commonwealth Regional Precincts and Partnerships Program and \$5.5 million from a NSW State Voluntary Planning Agreement.⁶⁹ These grants are currently under assessment.

As with transport works items, we recommend the council review costs in the CP in response to any grant funding received.

4.4.5 Land

The WD CP includes \$184.6 million in land costs, which is roughly 12% of the total cost of the plan.⁷⁰

The council has relied on Walsh and Monaghan to prepare a valuation report (7 September 2022).⁷¹ This report examined recent comparable land sales evidence to determine a square metre rate for 17 categories of land. To determine land acquisition rates, the direct comparison of sales in the general vicinity of the WDURA was conducted.

Table 4.5 Land acquisition cost rates per sqm for the WD CP (\$/m², \$Sep22)

Land zoning	Cost rate
R2 Low Density Residential	130
R3 Medium Density Residential	145
R5 Large Lot Residential	95
B1 Neighbourhood Centre	200
B2 Local Centre	250
B4 Mixed Use	225
B6 Enterprise Corridor	225
C2 Conservation	5
C3 Environmental Management	10
C4 Environmental Living	58
C2/C3 Environmental (watercourse/riparian)	3
RE1 Public Recreation	80
RE2 Private Recreation	20
RU1 Primary Production	10
RU2 Rural Landscape	10
IN2 Light Industrial	150
IN3 Heavy Industrial	150

Source: Walsh and Monaghan, *Valuation Report West Dapto Urban Release Area*, 7 September 2022, [D24/11138]

The council applied the 17 cost rates across land acquisitions for transport, open space, and stormwater infrastructure. The relevant land value (i.e. R1, riparian etc) has been applied for each item, including split values where multiple zoning types are present.⁷² The council will index the rates determined by Walsh and Monaghan with a Land Value Index (LVI). The LVI uses an annual land index rate of the 5-year average percentage in land value changes in the Wollongong LGA based on data published by the Valuer General.⁷³ The council notes that the 5-year average is in place to account for year-to-year anomalies and changes in the local market.

The council's land value rates are based on professional valuations and tied to an LVI which is based on a local property value and a reasonable methodology. We therefore determine the council's approach to estimating and indexing land values is reasonable.

DFP's submission on the Draft Report sought clarification on the land value index and recommended that the council should use locality specific data and that the council should review and publish the value annually⁷⁴. We note the challenges for councils in determining an index for land value and there is limited availability of relevant published indices. Many of the contributions plans we assess use the Unimproved Land Value Index Greater Sydney (Greater Capital City) published by CoreLogic however this is not applicable to councils outside the Greater Sydney area. The council currently uses CPI to index land value, which we know is not an accurate index to account for the growth of land acquisition costs.

We consider that the council's approach to developing a bespoke LVI for the CP is reasonable and more accurate than using CPI. We consider that the LVI based on LGA data is sufficient to provide a reasonable estimate for land acquisition in the WDURA. The council has advised that it intends to review the LVI on an annual basis.⁷⁵ We support DFP's request that the council should publish the LVI on its website and the council has confirmed that the [LVI is published](#) on its website through its council reports.

The current published rate is 15.66% however the council has advised that the 2022 to 2023 data has now been published⁷⁶ and at the current 5-year average land value (2019 – 2023) the land value index is now 11.46%.⁷⁷

Land acquisition costs

The council has not applied a land acquisition allowance for meeting costs for heads of compensation under the *Land Acquisition (Just Terms Compensation) Act 1991*. Given the plan is in its early stages and will have a long lifetime, the inclusion of a land acquisition allowance could help to ensure more accurate estimates for land acquisition costs. We encourage the council to review the adoption of a land acquisition allowance for the WD CP prior to its next submission to IPART.

The council has not included costs associated with the processes that are involved in the acquisition of land. Although likely to be a very minor change to the overall cost of the plan, the council should consider the implementation of costs for the processes of land acquisition.

Recommendations



3. Prior to the council's next submission to IPART, the council should review the inclusion of a land acquisition allowance for the purposes of land acquisition under the *Land Acquisition (Just Terms Compensation) Act 1991*.

4.4.6 Plan administration

The WD CP proposes around \$20.5 million for plan management and administration costs.⁷⁸ This is based on the IPART 1.5% benchmark of the total works costs for stormwater, transport and local open space. We consider this approach reasonable, and we note that it is similar to the approach taken in other plans.

4.4.7 Other – contingency allowances

In our previous review of the West Dapto Contributions Plan (2020) we noted many contingencies for items were too high and recommended they be lowered.

Dependent on the project stage, our 2014 benchmarks for contingency allowances allow for:

- stormwater works, 30% for the strategic review stage or 20% for the business case stage
- transport works, 30% for the strategic review stage or 20% for the business case stage

- open space embellishment, 20% for the strategic review stage or 15% for the business case stage.⁷⁹

The council has applied contingency rates across the CP of 25% for designs that have not begun or are in a strategic format, 20% for the concept design stage, 15% for complete or detailed designs, 10% for allocated designs and 5% for ongoing project management.⁸⁰ The council's approach to contingencies is in line with our previous recommendations, with contingency rates for each item either at or slightly below the IPART recommended rate.⁸¹ For each item, the council has escalated the contingency rate depending on when the item is to be delivered, with larger contingencies for items with a longer lead time. The council's approach to contingency rates in the WD CP is reasonable.

4.5 Apportionment

4.5.1 Stormwater

The council plans to apportion stormwater costs across residential and non-residential development. The council plans to apportion stormwater costs on a per hectare of net developable area (NDA) basis for both residential and non-residential development. In the precinct, 84.3% of developable land is zoned for residential purposes, 14.4% is zoned for industrial/other uses and 1.3% for commercial purposes.⁸²

We note that in the 2020 iteration of the West Dapto Contributions Plan, rates had been adjusted for lower apportionment to commercial and industrial development. We recommended that this be changed to reflect impervious surface area being the main factor driving the need for stormwater infrastructure. The council subsequently altered its approach and apportioned stormwater costs based on a percentage of net developable area attributed to each development type.

A per person rate has been used for the apportionment in the CP for consistency with other infrastructure items (open space and transport) to show an overall per dwelling rate for residential development. The council has apportioned stormwater development entirely to the plan.

We consider the council's approach to stormwater apportionment reasonable.

The submission from DFP on the Draft Report refers to a 2020 recommendation by IPART that infrastructure be apportioned between stages 1-4 and stage 5 of the release area.⁸³ The submission suggests that costs for stage 5 should be considered separately and the stage 1-4 costs should not be attributed to stage 5 development. The nominee for the then Minister for Planning did not agree with IPART's recommendation and did not direct the council to create 2 separate contribution catchments.⁸⁴ The council's approach to the WD CP is consistent with the Minister's direction and we have therefore assessed the WD CP on the basis that the development is considered as a single plan across all stages of the development.

4.5.2 Transport

Total transport costs are apportioned between residential, industrial and commercial development on an adjusted NDA basis. The area for industrial and commercial development is adjusted “to recognise the varying levels of land intensification and demand on transport infrastructure”.⁸⁵

The WD CP applies apportionment factors of 1.0 for residential, 0.75 for commercial, and 0.15 for industrial development. The result is that while residential development accounts for 84.3% of land use it pays for 96.4% of transport costs.⁸⁶ The council’s modelling shows a lower demand for transport infrastructure in the WDURA generated by industrial development, based on the position of industrial land and its proximity to the M1 Motorway.

During our previous assessment, we noted that there was no such modelling for commercial development. However, the impact of the council’s model is very small to contribution rates, resulting in a change of transport apportionment to commercial development from 1.27% to 1.09%. We therefore consider the council’s approach broadly reasonable.

The council has partially apportioned the cost of three roads in Stage 5 of the plan to the Calderwood development (Apportionment of roads to the).

Table 4.6 Apportionment of roads to the plan

Item	Total Cost (\$Jun,2023)	Apportionment to the plan	Cost to the CP (\$Jun,2023)
TR16 Yallah Road	34,975,671	82%	28,763,802
TR17 Marshall Mount Road	92,203,073	21%	19,784,047
TR29 Marshall Mount Town Centre Bypass	34,490,105	27%	9,425,182
TR25 Western Ring Road – Shone Avenue to Yallah Road	177,947,262	96%	171,208,283

Note: each of these roads is made up of several sub-items which are individually apportioned. The percentage apportioned to the plan is the average apportionment of the total road. The detail of the individual items apportioned to the Calderwood development is provided in page 35 of the WD CP.

Source: Wollongong City Council, *West Dapto Development Contributions Plan 2024*, p 35. [D24/26621] and Wollongong City Council, Work Schedule, transport tab, columns DN and DQ [D24/20237]

In determining the level of apportionment to Calderwood, the council created a model for determining demand arising to and from the area to access the M1 Motorway. Traffic Design Group reviewed the methodology behind the plan in 2020 and found it to be reasonable. As in our previous assessment of the CP, we consider this apportionment to Calderwood to be reasonable.

DFP’s submission to the Draft Report also raised concerns about the apportionment of transport items across all stages of the development rather than being divided into 2 separate catchments on the basis of the stage of development.⁸⁷ As noted above, the council’s approach is consistent with the Minister’s direction regarding the 2020 WD CP and IPART has assessed the WD CP on the basis that it is a single development. Given the shared demand and benefit for transport infrastructure items such as the Western Ring Road, we consider this strengthens the council’s position to maintain a holistic approach to the WD CP.

4.5.3 Open space

Open space costs have been apportioned in full to the plan on a per person basis to residential development only as residential development will drive demand for open space. Open space infrastructure is expected to serve the residents of the WDURA and has therefore been apportioned 100% to the plan.⁸⁸

The council's approach is consistent with that of other plans we have assessed.

4.5.4 Plan administration

The WD CP uses the IPART benchmark of 1.5% of works costs for plan administration.⁸⁹ This is a reasonable approach.

DFP's submission on the Draft Report suggests that apportionment of plan administration should be separate for stage 5 and the cost of plan administration for stage 5 should reflect the proportion of the cost of infrastructure attributable to stage 5.⁹⁰ As noted above, the council's approach to apportionment is consistent with the Minister's direction to the council regarding the 2020 WD CP and we consider the apportionment of plan administration to be reasonable.

4.5.5 Other issues – Calderwood funding shortfall

DFP's submission notes the council's 30 October 2023 report and post-exhibition report which outline the funding shortfall relating to the Calderwood development that is not captured by planning agreements and cannot be levied through the WD CP.⁹¹ We consider the council's approach to managing apportionment to Calderwood (outlined above in 4.5.2) to be reasonable. The council has stated that it does not intend to recover the Calderwood funding shortfall through the WD CP.⁹² IPART agrees that it is consistent with the Practice Notes that any shortfall should not be recovered from future developer contributions. We consider the council's approach to the funding shortfall is transparent and acknowledge the significant challenges it raises for the council to determine other sources of funding for the shortfall.

4.6 Timing

The plan indicates timeframe of roughly 40 years for the remaining development. The council proposes that the development of dwellings is aligned with the proposed infrastructure required to service the specific stage of development, with the stages and timing subject to review during the life of the development.⁹³

The WDURA has been split into five areas or stages, however these do not represent a sequential order of development. Most of the development that has occurred has been in Stage areas 1 & 2 of the plan, corresponding to Kembla Grange, Sheaffes/Wongawilli and West Horsley.⁹⁴

The 2019 Practice Note requires us to consider whether the proposed public amenities and public services can be provided within a reasonable timeframe. The 2005 Practice Notes provide further guidance that it is the responsibility of a council to ensure the infrastructure meet the needs of a development. This includes ensuring that the works schedule included in the contributions plan specifying the likely timing for the provision of the infrastructure is based on the anticipated receipt of contributions and the satisfaction of the demands of the population.⁹⁵

The council's works schedule includes indicative timing for delivery of each infrastructure item, within a five-year band. We consider the WD CP satisfies the assessment criterion for timing of infrastructure delivery.

4.7 Community Liaison and Publicity

The council's application states that it consulted with the community on the plan, exhibiting it alongside the planning proposal, draft Development Control Plan, and Planning Agreement, for the 28-day period between 6 November to 4 December 2023.⁹⁶

The council received 28 submissions from:

- Community members (7 submissions)
- Developers and/or developers' consultants (15 submissions)
- Transport NSW
- School Infrastructure NSW
- Property Council of Australia (PCA) – Illawarra
- Urban Development Institute of Australia (UDIA) – Illawarra
- Regional Development Australia (RDA) – Illawarra
- Illawarra Bicycle User Group

On 18 March 2024 a report was presented to the council detailing public exhibition, submissions raised, and staff response to submissions. At this meeting, the council resolved to note the summary of issues raised during public exhibition and endorsed the submission of the WD CP 2024 for IPART review.

The council considered the submissions and incorporated post-exhibition amendments in response to the submissions received.⁹⁷ These amendments were made prior to submitting the WD CP to IPART for review.⁹⁸ We consider the council's amendments to the plan in response to submissions reasonable.

We have determined that the council's community liaison and consultation process meet the Practice Note requirements to conduct appropriate community liaison and publicity in preparing the contributions plan.

4.8 Any other matters

4.8.1 Indexation

Where works cost estimates are sourced from an earlier period than the base period of the plan, they have been indexed to the base period of the plan using:

- ABS PPI 3101 Road and Bridge Construction Index for NSW for transport and stormwater management infrastructure
- ABS PPI 3020 Non-Residential Building Construction Index for NSW for open space infrastructure

The WD CP proposes the ABS Sydney All Groups Consumer Price Index (CPI) be applied to the base contribution rates at the time of payment.⁹⁹

The indexation approach in the WD CP is similar to other plans we have assessed, and we consider it reasonable.

4.8.2 Provision of open space appears low

In our review of the West Dapto Contributions Plan (2020) we noted the provision of open space was low, particularly in Stages 3, 4 and 5 of the plan. We also identified that the provision of sporting facilities in the plan was too low. We recommended the council review its open space needs.

The council's 2023 SINA included recommendations to vastly increase the quantity of open space by 87.8 hectares over the plan's lifetime.¹⁰⁰ It also called for an increase in the amount of sporting grounds by converting 7 parks in the plan to accommodate district sporting grounds and additional space. The SINA also assessed that 50.4 hectares of open space in the suburb of Horsley could not be allocated to the residents of the WDURA.¹⁰¹ The council has added an additional 25.4 hectares of open space to the plan and has also incorporated the cost of converting 7 district parks to include sporting facilities.

We note that the council has met its benchmarks in regard to district level open space but is below the benchmarks for the provision of local and passive open space. The overall provision of open space has decreased from 2.23 hectares per 1000 people in the 2020 iteration of the plan to 1.74 hectares. In a meeting on 25 July 2024, the council responded to our concern about the lack of open space in the works schedule by noting that it is negotiating the provision of more local parks from developers. The SINA is the guiding principle in the design and locations of these parks to ensure ease of access for residents. The council notes that with this additional provision the plan is expected to roughly meet the Growth Centre Benchmark of 2.83 hectares of open space per 1,000 people.

While we consider the approach to the shortfall of open space available in the works schedule may be reasonable, we note there are risks to relying on voluntary planning agreements to deliver additional open space, rather than including it in the contribution plan. We also note that if additional open space was included in the plan there would be a significant cost increase to the plan. We are therefore recommending that the council provide example documentation and quantities of the parks being constructed by developers, to allow us to measure the effectiveness of this policy during our next review of the contributions plan.

The [DFP submission](#) raised concerns about the additional local parks in Highgate Hills.¹⁰² As noted above, the council is working with developers across the WDURA to increase the provision of local parks and passive open space to ensure the overall provision of open space is sufficient to meet the needs of the new community. We are recommending that the council provide additional information about the provision of open space in its next submission to IPART.

Recommendation



4. The council should provide documentation and quantitative information regarding the amount of open space being provided by developers in its next submission to IPART.

4.8.3 Savings and Transitional arrangements

The WD CP notes that an application that has been submitted, but not determined, prior to the adoption of the plan is to be determined in accordance with the provisions of the plan that applies at the date of determination of the application.¹⁰³ The [DFP submission](#) to the Draft Report considers these arrangements unreasonable given the increase in costs.¹⁰⁴ The council has advised that this is an established process and is consistent with the existing 2020 WD CP and previous CPs. We note that this approach is also consistent with other CPs we have assessed, and we consider this approach reasonable. We note that the current WD CP includes the most up to date infrastructure requirements and costings and to charge lower rates would be likely to have a significant impact on the ability of the council to fund the infrastructure required to meet the needs of the future residents and could result in future funding shortfalls.

4.8.4 Governance and Accountability

We received a [submission](#) seeking assurance about the governance and traceability of funds collected through the WD CP.¹⁰⁵ The contributions plan framework is established under the [Environmental Planning and Assessment \(EP&A\) Act 1979](#) and [EP&A Regulation 2021](#). Developer contributions are restricted funds that the council can only use for the intended purpose. This is a well-established process for councils to fund essential infrastructure needed for new developments using an "impactor pays" principle. The WD CP outlines the council's governance of the plan, particularly section 2.26 – 2.28.¹⁰⁶ This includes an outline of the council's review and monitoring of the plan and maintaining a contributions register, which is available on the council's website, in accordance with the EP&A Regulation. It also includes maintaining accounting records of contributions and using separate restricted funds to distinguish contributions from other accounts and preparing an annual report and annual statement that includes the indexed contributions rates and annual statements, in accordance with the EP&A Regulation and the [Local Government Code of Accounting Practice and Financial Reporting](#).

4.8.5 Assessment against the EP&A regulations and requirements

We have determined that the WD CP contains the information required by clause 212 of the EPA Regulation. This clause requires the inclusion of certain information in a contributions plan for the purpose of establishing scope and location. A summary of our assessment of the WD CP against the EP&A Regulation is provided in Table 4.7.

Table 4.7 Assessment against EP&A regulations and requirements

Section	Requirement	Location in plan
1(a)	Purpose of the plan.	Section 2.6
1(b)	Land to which the plan applies.	Section 2.5, Figure 1
1(c)	The relationship between the expected types of development in the area to which the plan applies and the demand for additional public amenities and services to meet that development.	Section 2.1 and 2.6
1(d)	The formulas to be used for determining the section 7.11 contributions required for different categories of public amenities and services.	Section 4.1.6, 4.2.6, 4.3.6, 4.3.7, 4.4.6, 4.4.7, 4.5.3 and 4.5.4
1(e)	The section 7.11 contribution rates for different types of development, as specified in a schedule in the plan.	Section 4.1.6, 4.2.6, 4.3.6, 4.3.7, 4.4.6, 4.4.7, 4.5.3 and 4.5.4
1(f)	A map showing the specific public amenities and services proposed to be provided by the council.	Figures 1-9
1(g)	A works schedule that contains an estimate of the cost and staging (whether by reference to dates or thresholds).	Part 5
1(h)	If the plan authorises monetary section 7.11 contributions or section 7.12 levies paid for different purposes to be pooled and applied progressively for those purposes, the priorities for the expenditure of the contributions or levies, particularised by reference to the works schedule.	Section 2.20

Section	Requirement	Location in plan
2(b)	If a contributions plan authorises the imposition of a development levy condition, the plan must contain the method, if any, of adjusting the proposed cost of carrying out the development, after being determined by the consent authority, to reflect quarterly or annual variations to readily accessible index figures adopted by the plan between the day of the determination and the day by which the levy must be paid.	Section 2.23 and 2.24
3	A contributions plan must contain information about the council's policy about the following— (a) the timing of the payment of monetary development contributions, (b) development levies, (c) the imposition of development contribution conditions or development levy conditions that allow deferred or periodic payment.	Section 2.14, 2.15, Table 2
4	A contributions plan that provides for the imposition of development contribution conditions or development levy conditions in relation to the issue of a complying development certificate must provide that monetary payments in accordance with the conditions must be made before the commencement of the building work or subdivision work authorised by the certificate	Section 2.16 & 2.17
5	In determining the section 7.11 contribution rates or section 7.12 levy percentages for different types of development, the council must take into consideration the conditions that may be imposed under section 4.17 (6)(b) of the Act or section 97 (1)(b) of the Local Government Act 1993.	N/A
6	A contributions plan may authorise monetary development contributions or development levies paid for different purposes to be pooled and applied progressively for the different purposes only if the council is satisfied that the pooling and progressive application will not unreasonably prejudice the carrying into effect, within a reasonable time, of the purposes for which the money was originally paid.	Section 2.20

¹ Wollongong City Council, [West Dapto Development Contributions Plan 2024](#), exhibited version, October 2023.

² Wollongong City Council, [online submission](#), 14 October 2024, Maker ENG Pty Ltd, [online submission](#), 20 September 2024, DFP Planning Consultants, [online submission](#) 18 October 2024 and [anonymous submission](#), 25 October 2024.

³ Wollongong City Council, [Ordinary Meeting of Council 18 March 2024](#), Item 2, Attachment 1.

⁴ Wollongong City Council, [Submission to West Dapto Development Contributions Plan Revised Draft Report](#), 21 November 2024.

⁵ Wollongong City Council, [West Dapto Development Contributions Plan 2024](#), p 18.

⁶ Wollongong City Council, [West Dapto Development Contributions Plan 2024](#), p 18.

⁷ Wollongong City Council, [West Dapto Development Contributions Plan 2024](#), p 18.

⁸ Wollongong City Council, [West Dapto Development Contributions Plan 2024](#), p 17.

⁹ Wollongong City Council, [West Dapto Development Contributions Plan 2024](#), table 4, p 17.

¹⁰ Department of Planning, Housing and Infrastructure, [Practice Note – Local Infrastructure Contributions](#), January 2019, pp-14-16.

¹¹ Wollongong City Council, [West Dapto Development Contributions Plan 2024](#), p 18.

¹² Walsh and Monaghan, [Valuation Report West Dapto Urban Release Area 2022](#), p 7. [D24/11138]

¹³ Wollongong City Council, [West Dapto Development Contributions Plan 2024](#), p 7.

¹⁴ Wollongong City Council, [West Dapto Development Contributions Plan 2024](#), p 16.

¹⁵ Wollongong City Council, [West Dapto Development Contributions Plan 2024](#), table 4, p 17.

¹⁶ Wollongong City Council, [West Dapto Development Contributions Plan 2024](#), p 17.

¹⁷ Wollongong City Council, [West Dapto Development Contributions Plan 2024](#), p 18.

¹⁸ Wollongong City Council, Email, [draft West Dapto Development Contributions Plan 2024 revised financial model outputs](#), 14 June 2024. [D24/26619]

¹⁹ Wollongong City Council, [West Dapto Development Contributions Plan 2024](#), table 1, p 5.

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²¹ Brewsher Consulting, [West Dapto Review – flooding & stormwater strategy 2008](#), pp 13-19. [D19/24543]

²² Wollongong City Council, [West Dapto Development Contributions Plan 2024](#), table 17, p 59.

²³ Wollongong City Council, [West Dapto Development Contributions Plan 2024](#), table 1, p 5.

²⁴ Wollongong City Council, [West Dapto Development Contributions Plan 2024](#), table 11, pp 37-38.

²⁵ Wollongong City Council, [West Dapto Development Contributions Plan 2024](#), table 1, p 5.

²⁶ Wollongong City Council, [West Dapto Development Contributions Plan 2024](#), table 9, pp 26-28.

- 27 Wollongong City Council, *West Dapto Development Contributions Plan 2024*, table 1, p 5 and email from Wollongong City Council, Land Acquisition Status West Dapto CP [D24/20231]
- 28 Wollongong City Council, *West Dapto Development Contributions Plan 2024*, table 10, p 32.
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- 31 Wollongong City Council, *Application for assessment of a local infrastructure contributions plan West Dapto Development Contributions Plan 2024*, April 2024, p 18.
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- 34 Department of Planning, Housing and Infrastructure, *Practice Note – Local Infrastructure Contributions*, January 2019.
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- ⁹⁹ Wollongong City Council, *West Dapto Development Contributions Plan 2024*, p 13.
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