

08 March 2019

Michael Malone
A/Chief Executive Officer
c/- Sustainable Growth
Wollondilly Shire Council
PO Box 21
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Via email: council@wollondilly.nsw.gov.au

Dear Michael,

**Public Exhibition of Amendment to Wollondilly Contributions Plan 2011,
Your ref: CM 1115**

The Urban Development Institute of Australia (UDIA) NSW is the leading property industry group promoting the responsible growth of development in this State. It supports a planning system that can secure our goal of “Housing the Next Generation” through improving housing supply and affordability, with the timely and fair deliver of infrastructure.

Our members include developers, planners, architects, lawyers, councils, and the major landholders in the Wilton area. We enjoy a positive collaborative relationship with Wollondilly Shire Council. UDIA looks forward to continuing working with the Council to ensure Wilton is a liveable, affordable, and connected community.

UDIA has been working with the state government to advocate for a fairer way to fund infrastructure, through the establishment of a regional growth fund based on the 2013 White Paper reforms. The impact of infrastructure contributions continues to be one of the most significant threats for housing supply and affordability. In light of the significance of infrastructure contributions to housing supply and affordability we make this submission to Council.

UDIA objects to the amendment to the Wollondilly Contributions Plan 2011 based on the consultation, lack of replacement plan for Wilton, and the adverse impact of the amendment on the Wollondilly Shire.

Consultation

UDIA has three concerns with the consultation process and the exhibition process. We believe the best way to address our concerns with consultation is to re-exhibit the proposed amendment to enable the community to fully participate.

1. Explanatory Note

It is very difficult to establish the proposed amendment in the exhibition documentation. There was no explanatory note provided as part of the exhibited documents. Therefore, there is no information on the implications of the amendment, the proposed text, and map changes (if any) are not highlighted or generally apparent in exhibition material. Any person or business unfamiliar with the 2011 Contributions Plan will not be able to

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understand the impact and extent of the change that is being proposed. This is poor practice and is contrary to Council's own stated position on supporting transparency and accountability to the community in its decision-making process.

We believe the community would be unable to understand or engage with the amendment based on the current exhibition material. We would be keen to work with council to help ensure consultation documents are more accessible for the community. UDIA through its City Life Labs program has been looking at new and innovative ways to engage with the community.

UDIA recommends the Council develops a plain English supporting note, and highlights proposed amendments in the documentation, potentially through track changes.

2. Supporting Materials

There is no supporting material including any relevant report to Council or Council resolution that can provide a comprehensive background explanation and justification for the proposed amendment. In this context there is insufficient material upon which a full understanding of the proposed amendment can be established. This does not meet best practice and can potentially undermine the integrity of Council's ultimate decision on the matter.

UDIA recommends the involvement of the Council is transparent in the supporting material, and there is relevant information that provides the reasons for the changes. This information should be provided in a re-exhibition of any amendment.

3. Notification of Amendment

The announcement of the exhibition of the proposed amendment was not widely circulated to any landowner or stakeholder, or in the media. As a result, the effective exhibition period becomes extremely short (in reality major stakeholders that we are aware of have only been given 7 to 10 days to prepare a response). Best practice consultation requires taking steps to notify those impacted by amendment, this is a requirement for industry when proposing development application. Without advising stakeholders it is unlikely genuine community consultation and secure a robust community response to enable Council to understand the views of potentially impacted stakeholders.

UDIA recommends Council make a proactive attempt to inform relevant stakeholders of the change and include supporting material to help the community and industry understand the reasons for a change when the document is re-exhibited.

Replacement Section 7.11 for Wilton

UDIA has significant concerns about the removal of Wilton from the Contribution Plan. We are not aware of any imminent S.7.11 Contributions plan to replace the repealed S.94 Contributions Plan in Wilton.

Given that Wilton falls within prescribed a Growth Centre, EP&A Regulation Amendment – Clause 270A becomes relevant. This clause generally prohibits Council from determining any development application of a non-minor nature in the Wilton Area if there is no Contributions Plan or VPA in place. Thus, this proposed amendment will effectively stall any significant potential development in the Wilton area, locking out, and preventing investment in new homes, new employment creating enterprises and non-minor proposals

that can improve the amenity, lifestyle and well-being of existing Wilton households and families.

UDIA recommends Wilton is removed from the Wollondilly Contributions Plan 2011, only once a specialised Contribution Plan for Wilton is developed and finalised.

Impact of the Plan

The Amended contribution plan does not consider the impact of the removal of the Wilton area on the schedule of works and contribution rates.

With the removal of a significant part of the LGA's geographical area, its population and existing community facilities from an adopted Contributions Plan we would have expected the proposed amendment to the Contributions Plan to include amended schedules that identify the impact that this removal has on the schedule of works and the required contribution rates. Ordinarily, this would include supporting amended shire-wide community facility studies. However, as far as we can determine (and it is not readily apparent in the exhibition material), no accompanying amendments to the schedules and contributions rates are proposed. UDIA cautions if the amendment to be adopted, the existing Shire wide Contributions Plan will be numerically inaccurate and procedurally flawed.

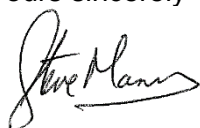
UDIA recommends the update to the Contributions Plan is undertaken alongside the introduction of a Contributions Plan for Wilton. The updated Plan should fully look at the needs for the remaining community and amendments due to the removal of Wilton should be clearly identified so the community and industry can fully engage with the re-exhibition.

Concluding Remarks

Overall, the proposed amendment is unsuitable for Wollondilly and the consultation process has been floored, we recommend the amendment is not made until the Wilton Contribution Plan amendment is re-exhibited. We further recommend this is exhibited alongside a new section 7.11 contribution plan for Wilton.

We would welcome the opportunity to meet to discuss our concerns and assist Council in achieving a practical and workable solution to the application of a Contributions Plan to Wilton. Please contact Elliott Hale, General Manager Policy, Media and Government Relations on (02) 9262 1214 or at ehale@udiansw.com.au to arrange a meeting to discuss how council and industry can work together to achieve a liveable, affordable, and connected community at Wilton.

Yours sincerely



Steve Mann
Chief Executive

The Urban Development Institute of Australia (UDIA) NSW is the leading property industry group promoting the responsible growth of this State. We have over 500 company members and more than 3,000 of their employees attend our events, sit on our committees, undertake training or are involved in the activities of the organisation on an annual basis. Our organisation is the oldest property development advocacy group in the country, having been established in 1962. Our advocacy is based on making our cities more liveable, affordable and connected.