

City of Botany Bay Section 94A Development Contributions Plan 2016

Amendment 1



Effective: 22 June 2016

Date of amendment: 26 October 2022



Telephone Interpreter Services - 131 450

Τηλεφωνικές Υπηρεσίες Διερμηνέων

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1 Plan summary

1.1 Introduction

The City of Botany Bay S94A Development Contributions Plan 2016 (the Plan) has been prepared to satisfy the requirements of Division 6 of Part 4 of the Environmental Planning and Assessment Act 1979 (the Act) and the Environmental Planning and Assessment Regulation 2000 (the Regulation), enabling a consent authority or an accredited certifier to levy contributions from development for the provision of public amenities and public services.

The demographic projections for the City of Botany Bay indicate that a significant amount of growth in resident and worker population is anticipated to occur over the years between 2016 and 2031.

The anticipated population growth and limited capacity of existing facilities and infrastructure will necessitate contributions towards the provision of a range of local infrastructure public.

This Plan applies to all development applications and complying development certificate applications lodged before the commencement of this Plan, but not yet determined and to development applications and complying development certificate applications lodged after the commencement of this Plan.

This Plan originally came into effect on 22 June 2016. Amendment 1 includes an update to the cost estimates for work schedule items. Amendment 1 came into effect on 26 October 2022.



1.2 Works schedule

Contributions obtained by a levy under this plan will be applied to the provision of public amenities or public services shown in Table A in Appendix A. These tables also indicate the staging of the works and priorities for expenditure. Work Schedule Maps contained in Appendix B indicate the location of the works.

The works listed in this schedule may be funded from a mix of sources, including contributions collected from this Plan.

1.3 Developments subject to levies

The types of developments and areas to which the Plan applies are outlined in Table 1.1.

Table 1.1 – Section 94A contribution plan: works schedule

DEVELOPMENT TYPE (1)	AREA	QUALIFICATIONS
The following residential accommodation: dual occupancies, group, homes, hostels, multi dwelling, housing, residential flat, buildings, seniors housing, (other than residential care facilities), shop top housing.	City of Botany Bay (Figure 1)	Alterations and additions where the development would not lead to an increase in the number of dwellings or bedrooms (in the case of group homes, hostels, and boarding houses). NOTE: Individual dwelling houses, secondary dwellings, semi-detached, will not be levied.
Serviced apartments.	City of Botany Bay (Figure 1)	Where the development would not lead to an increase in the number of apartments or dwellings.
Mixed use development with residential or serviced apartments being the dominant use.	City of Botany Bay outside Mascot Station Precinct	Where the development would not lead to an increase in the number of apartments or dwellings. Individual dwelling houses, semi-detached, will not be levied.
Mixed use development.	Mascot Station Precinct (Figure 2)	Where the development would not result in an increase in gross floor area or employment and/or apartments Individual dwelling houses, semi-detached will not be levied.
All other development.	City of Botany Bay outside Mascot Station Precinct	This includes employment based industrial and commercial development including tourist and visitor accommodation, residential care facilities, hospitals, community facilities and the like.
Subdivision of land for non residential purposes.	City of Botany Bay (Figure 1)	Where an additional lot is created including subdivision works.

Notes: (1) Development type refers to terms defined in Botany Bay LEP 2013.

The Plan does not apply to development the consent, or complying development certificate, for which would be subject to a condition under S94 of the Act determined in accordance with the City of Botany Bay S94 Development Contributions Plan 2016.

A consent authority or accredited certifier cannot impose as a condition of the same development consent a condition under section 94 as well as a condition under section 94A of the Act.

1.4 Section 94A percentage levy

The percentage levy

The levy percentage is the maximum identified in Clause 25K of the Regulation subject to any direction by the Minister under Section 94E from time to time. The percentage of the levy for development, having a proposed cost within the range specified in Table 1.2 is to be calculated in accordance with that table.

Table 1.2 – Development subject to contributions under the Plan

PROPOSED COST OF THE DEVELOPMENT	MAXIMUM PERCENTAGE OF THE LEVY
Up to \$100,000	Nil
\$100,001–\$200,000	0.5 percent
More than \$200,000	1.0 percent

A levy under section 94A of the Act cannot be imposed on development:

- For the purpose of disabled access;
- For the sole purpose of affordable housing;
- For the purpose of reducing the consumption of mains-supplied potable water, or reducing the energy consumption of a building;
- For the sole purpose of the adaptive reuse of an item of environmental heritage; or
- Other than the subdivision of land, where a condition under section 94 of the Act has been imposed under a previous development consent relating to the subdivision of the land on which the development is proposed to be carried out.

Determining the proposed cost of development

The consent authority is to determine the proposed cost of carrying out development in accordance with Clause 25J of the Regulation.

25J Section 94A levy – determination of proposed cost of development

- The proposed cost of carrying out development is to be determined by the consent authority, for the purpose of a section 94A levy, by adding up all the costs and expenses that have been or are to be incurred by the applicant in carrying out the development, including the following:*
 - If the development involves the erection of a building, or the carrying out of engineering or construction work – the costs of or incidental to erecting the building, or carrying out the work, including the costs (if any) of and incidental to demolition, excavation and site preparation, decontamination or remediation.*
 - If the development involves a change of use of land – the costs of or incidental to doing anything necessary to enable the use of the land to be changed.*
 - If the development involves the subdivision of land – the costs of or incidental to preparing, executing and registering the plan of subdivision and any related covenants, easements or other rights.*
- For the purpose of determining the proposed cost of carrying out development, a consent authority may have regard to an estimate of the proposed cost of carrying out the development prepared by a person, or a person of a class, approved by the consent authority to provide such estimates.*
- The following costs and expenses are not to be included in any estimate or determination of the proposed cost of carrying out development:*
 - The cost of the land on which the development is to be carried out.*
 - The costs of any repairs to any building or works on the land that are to be retained in connection with the development.*
 - The costs associated with marketing or financing the development (including interest on any loans).*

- (d) The costs associated with legal work carried out or to be carried out in connection with the development.*
 - (e) Project management costs associated with the development.*
 - (f) The cost of building insurance in respect of the development.*
 - (g) The costs of fittings and furnishings, including any refitting or refurbishing, associated with the development (except where the development involves an enlargement, expansion or intensification of a current use of land).*
 - (h) The costs of commercial stock inventory.*
 - (i) Any taxes, levies or charges (other than GST) paid or payable in connection with the development by or under any law.*
 - (j) The costs of enabling access by disabled persons in respect of the development.*
 - (k) The costs of energy and water efficiency measures associated with the development.*
 - (l) The cost of any development that is provided as affordable housing.*
 - (m) The costs of any development that is the adaptive reuse of a heritage item.*
- (4) *The proposed cost of carrying out development may be adjusted before payment, in accordance with a contributions plan, to reflect quarterly or annual variations to readily accessible index figures adopted by the plan (such as a Consumer Price Index) between the date the proposed cost was determined by the consent authority and the date the levy is required to be paid.*
- (5) *To avoid doubt, nothing in this clause affects the determination of the fee payable for a development application.*

The proposed cost of development for the purpose of determining a S94A levy differs from the cost of development for the purpose of determining a development application fee and from the Capital Investment Value.

For development up to \$500,000, the cost of development is to be estimated by a suitably qualified person (see form in Appendix C). For development over \$500,000 the cost of development is to be estimated by a registered quantity surveyor.



2 Administration and operation of the Plan

2.1 Name of the Plan

This local infrastructure contributions plan may be referred to as the City of Botany Bay S94A Development Contributions Plan 2016 Amendment 1 (the Plan).

2.2 Date the Plan comes into effect

The Plan comes into effect when adopted by Council and public notice is given of its adoption. A development application or complying development certificate application that been lodged but not determined prior to the commencement of this plan shall be determined in accordance with the provisions of this Plan.

2.3 Purpose of the Plan

The purpose of the Plan is to authorise the imposition of a condition on certain development consents and complying development certificates requiring the payment of a levy determined in accordance with this Plan pursuant to section 94A of the Act.

The Plan outlines:

- ▶ The type of development anticipated in the future in the City of Botany Bay;
- ▶ The facilities and services to which the levy is to be applied and the cost of providing these facilities and services.

The Plan has been prepared in accordance with Division 6 of Part 4 of the Environmental Planning & Assessment Act 1979, Part 4 of the Environmental Planning & Assessment Regulation 2000 and Development Contributions Practice Notes – July 2005 published by the then Department of Infrastructure Planning and Natural Resources, and Revised Local Development Contributions Practice Note For the assessment of Local Contributions Plans by IPART, February 2014 by the then NSW Planning and Infrastructure.

2.4 Area to which the Plan applies

This plan applies to all land in the City of Botany Bay (Figure 1).

2.5 Statutory basis for the Plan

A consent authority may impose, as a condition of development consent, a requirement that the applicant pay a levy of the percentage, authorised by a contributions plan, of the proposed cost of carrying out the development.

Money required to be paid by a condition imposed under Section 94A section is to be applied towards the provision, extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation) as shown in the work schedule contained in Appendix A.

2.6 Levy – Section 94A

The Plan allows a consent authority or accredited certifier, in granting consent to a development application or issuing a complying development certificate, to impose a condition requiring the payment of a levy of a percentage of the costs of carrying out the development under Section 94A of the Act in accordance with the provisions of the Plan.

The monetary contributions raised from conditions imposed under Section 94A under this plan is to be applied for the purposes indicated in the work schedule contained in Appendix A.

The levy will be 1% of development costs as defined in the Regulations.

2.7 Responsibilities of certifying authorities

It is the responsibility of the certifying authority to accurately calculate and apply the conditions under Section 94A for a levy as required under the Plan.

Likewise, it is the responsibility of any person issuing a construction certificate (CC) or complying development certificate (CDC) to certify that the contributions have been paid to Council prior to the issue of the certificate as required by any condition of the development consent to which the CC relates or the SEPP on which basis the CDC has been issued.

Accredited Certifiers must also have regard to Directions issued by the Minister for Planning for time to time as discussed in the Plan.

The Section 94A levies payable under the Plan are set out in the Table 1.2. Contributions imposed must be indexed to the date of payment as set out in this Plan.

Any condition imposed requiring the payment of levies must also require that such contributions and levies are indexed in accordance with this Plan to the date of payment.

Deferred payments of contributions required by a condition of a complying development certificate will not be accepted.

2.8 Development exempt from contributions under this Plan

The following development will be exempt from a requirement for contributions or dedicate land under the Plan:

- ▶ Development exempted from contributions by a direction of the Minister pursuant to section 94E of the EP&A Act, current at the time of assessment of the application (see Section 2.12); and
- ▶ Alterations and additions to a single dwelling house, secondary dwellings semi-detached dwelling do not pay any contributions under this Plan.

2.9. Ministerial directions

A consent authority or accredited certifier must not, in granting development consent in relation to which a Direction under section 94E of the Act applies, impose a condition that is not in accordance with the terms of the Direction despite the provisions of the Plan. At the time of preparation of the Plan, the terms of the relevant Directions are:

- ▶ Direction dated 13 December 2013 - A condition may not be imposed under section 94A of the Environmental Planning and Assessment Act 1979 in relation to development on land within the Port Botany Lease Area. Accordingly, the maximum percentage of the proposed cost of carrying out that development that may be imposed as a levy is nil. The Port Botany Lease Area means the area shown edged in red and identified as Port Botany Lease Area on the State Environmental Planning Policy (Port Botany and Port Kembla) 2013 Lease Area Map.
- ▶ Direction dated 14 September 2007 - there are no public amenities or public services in relation to which a condition under Division 6 of Part 4 of the Act may be imposed on development consents granted to a social housing provided as defined in SEPP (Seniors Living) 2004 to carry out development for the purposes of any forms of seniors housing as defined in the SEPP. This direction applies to development applications made by a social housing provider.
- ▶ Direction dated 10 November 2006 - The maximum percentage of the levy for development under section 94A of the Act, having a proposed cost up to \$100,000 is nil, between \$100,001 and \$200,000 is 0.5% and more than \$200,000 is 1%. A levy under section 94A of the Act cannot be imposed on development a) for the purpose of disabled access, b) for the sole purpose of affordable housing, c) for the purpose of reducing the consumption of mainsupplied potable water, or reducing the energy consumption of a building, d) for the sole purpose of the adaptive reuse of an item of environmental heritage, or e) other than the subdivision of land, where a condition under section 94 of the Act has been imposed under a previous development consent relating to the subdivision of the land on which the development is proposed to be carried out.

A current list of directions can be found on the NSW Planning and Environment website at www.planning.nsw.gov.au

2.10 Timing of payment of contributions

A contribution is payable in full as follows:

- (i) **Subdivision:** in the case of development applications involving subdivision, before the release of any construction certificate related to the subdivision works or the release of the linen plan/subdivision certificate, whichever occurs first;
Note this plan will apply to subdivisions where no extra lots are created, where there is subdivision works.
- (ii) **Building work:** in the case of development applications or complying development certificate (CDC) involving building work, before the release of the construction certificate or CDC;
- (iii) **Subdivision and building work:** in the case of development applications involving both subdivision and building work, before the release of the construction certificate or the release of the linen plan/subdivision certificate, whichever occurs first;
- (iv) **Where no construction certificate is required:** in the case of development applications where no construction certificate is required – at the time of issue of notification of consent or prior to commencement of the approved use, or prior to occupation of the premises, as may be determined by Council.

The payment of section 94A levies in accordance with a condition under section 94A to the issue of a complying development certificate is to be made before the issue of the Complying Development Certificate.

2.11 Deferred or periodic payments

Deferred payment generally will not be accepted by Council. However Council may accept a deferred or periodic payment of a levy if the applicant or any other person entitled to act upon the relevant consent satisfies Council that:

- ▶ Compliance with the provisions relating to when the levy is payable is unreasonable or unnecessary in the circumstances of the case; and

- ▶ Non-compliance with the required timing of payment will not increase the cost or prejudice the timing or the manner of providing the facility or service for which the levy was required as outlined in the Works Schedule.

The decision to accept a deferred or periodic payment is at the sole discretion of Council.

Council may, if it decides to accept the deferred or periodic payment of a levy, require the applicant to provide a bank guarantee by an Australian bank for the levy or the outstanding balance on condition that:

- ▶ The guarantee requires the bank to pay the guaranteed amount unconditionally to the consent authority where it so demands in writing, not earlier than six months (or a term determined by Council) from the provision of the guarantee or completion of the development or stage of the development to which the contribution or part relates;
- ▶ The guarantee prohibits the bank from:
 - ▶ Having recourse to the applicant or other person entitled to act upon the consent before paying the guaranteed amount;
 - ▶ Having regard to any appeal, dispute, controversy, issue or other matter relating to the consent or the carrying out of development in accordance with the consent, before paying the guaranteed amount;
- ▶ The bank's obligations under the guarantee are discharged:
 - ▶ When payment is made to the consent authority according to the terms of the bank guarantee;
 - ▶ If the related consent lapses;
 - ▶ If the consent authority otherwise notifies the bank in writing that the bank guarantee is no longer required;
- ▶ The applicant pays interest to Council on the contribution or the outstanding amount at the overdraft rate on and from the date when the contribution would have been otherwise payable in accordance with this plan.

Where Council does not require the applicant to provide a bank guarantee, it may require a public positive covenant under Section 88E of the Conveyancing Act 1919 to be registered on the title to the land to which the relevant development application relates.

All applications for deferred payment must be in writing and must set out terms of the deferred payment.

An administrative fee will be charged for deferred payments.

Deferred payments of contributions required by a condition of a complying development certificate will not be accepted.

2.12 Undertaking ‘Works In Kind’ (WIK) or providing a material public benefit

Council may accept an applicant’s offer to pay a levy by way of a WIK contribution (for an item included on the works schedule). It may also accept a material public benefit for an item not included on the works schedule where it considers the acceptance of that material public benefit will not create an unacceptable shortfall in contributions collected for items on the works schedule.

Council may accept the offer of a WIK if the applicant, or any other person entitled to act upon the relevant consent, satisfies the consent authority that:

- ▶ Payment of the levy in accordance with the provisions of the Plan is unreasonable or unnecessary in the circumstances of the case;
- ▶ The work in kind will not prejudice the timing or the manner of the provision of the facility or service for which the contribution was required;
- ▶ The value of the works to be undertaken is at least equal to the value and standard of the contribution assessed in accordance with this plan.

2.13 Adjusting S94A contribution rates at the date of payment

If a levy determined in accordance with S94A is required by condition of a development consent or complying development certificate, the proposed cost of carrying out the development determined by the consent authority will be indexed between the date of the consent and the date of payment based on movements in the Consumer Price Index (All Groups Index) Sydney.

2.14 Pooling of contributions

This plan authorises section 94A levies paid for different purposes to be pooled and applied progressively for those purposes. The priorities for the expenditure of the levies are shown in the works schedule where possible, however changing rates of development in different areas may alter those priorities. Priorities are shown either as an anticipated date of delivery or a priority ranking.

Council is to be satisfied that the pooling and progressive application of the money paid will not unreasonably prejudice the carrying into effect, within a reasonable time, of the purposes for which the money was originally paid.

2.15 Review of the Plan

The Plan envisages the progressive application of contributions toward provision of the prioritised items in the work schedule. It is acknowledged that priorities may change and Council may wish to amend the plan to change priorities or items in the work schedule. It is also envisaged that infrastructure or land costs will change in a manner different to the consumer price index and consequently will need to be adjusted from time to time.

It is therefore envisaged that Council will review the plan in the light of development trends and Council infrastructure priorities so as to ensure that the Plan remains financially sustainable, addresses the demands generated by development and so that facilities can be provided in a reasonable time.

3 Administration and operation of the Plan

In August 2011 the Botany Bay Local Government Area (LGA) had a population of 41,504 persons¹. By 2016 the population was estimated to have grown to approximately 50,791. Key demographic characteristics of the population are summarised below from the Australian Bureau of Statistics 2011 Census of Population and Housing. Population and workforce projections to 2031 are also outlined in this chapter.

Population projections have been prepared from a number of sources including:

- ▶ LEP Standards and Urban Design Controls Study for the City of Botany Bay LEP 2011 conducted by Neustein Urban, modified to account for existing planning controls;
- ▶ Botany Bay Planning Strategy 2031: Final Report and Housing Capacity Analysis prepared for Council by SGS;
- ▶ Information provided by Council on development approvals, particularly in the Mascot Station Precinct and several large development sites throughout the LGA; and
- ▶ Department of Planning and Environment population projections and Bureau of Transport Statistics data on employment forecasts and journey to work.

Workforce projections have been drawn from the LEP Standards and Urban Design Controls Study for the City of Botany Bay LEP 2011 and Bureau of Transport Statistics data on employment forecasts and journey to work. These figures have been supplemented by information specific to the development of large employment sites in the LGA.

3.1 The existing Botany Bay LGA population

Historically the Botany Bay LGA has had a multicultural population; with a significant working class base that resulting from its proximity to the Port, Airport and other industrial areas.

The City of Botany Bay has a population of 39,356 at the time of the 2011 Census². 14.4% of this population is over 65, and 21.3% under 18. Over half the population of the LGA was born in a non-English speaking country, with the most common countries of birth being China (3.3% of the population) and Indonesia (2.9%). 70.7% of households in the City of Botany Bay are family households.

The LGA's median age (37) is close to that of the Sydney Greater Capital City Statistical Area (36). Botany Bay's age distribution however is older than that of Sydney - a quarter (24.9%) of Sydney's population is aged over 55, compared to 29.8% of the Botany Bay population.

The LGA is less affluent than the Greater Sydney area, with the median income in Botany Bay 14.0% lower than that of Sydney.

There appears to have been a small 'baby boom' over the last ten years with a significant increase in the number of 0-4 year olds (15.7%); this age group grew faster than the rate of the LGA's general population (11.0%).

Age profile

Key age characteristics of the Botany Bay population shows:

- ▶ The median age is 37 years;
- ▶ 6.7% of the population are aged 0-4 years;
- ▶ 14.4% of the population is aged over 65;
- ▶ Just over half of the population (55.2%) is of working age (25-65 years).

¹ Estimated Resident Population (ERP) as defined by the ABS.

² Demographic characteristics from the census are based on population determined by the place of usual residence. Projections in the Plan are based on ERP.

Table 3.1 – City of Botany Bay population by age

SERVICE AGE GROUP (YEARS)	NUMBER	%	GREATER SYDNEY %
Babies and pre-schoolers (0 to 4)	2,654	6.7	6.8
Primary schoolers (5 to 11)	3,238	8.2	8.7
Secondary schoolers (12 to 17)	2,504	6.4	7.4
Tertiary education and independence (18 to 24)	3,566	9.1	9.5
Young workforce (25 to 34)	6,322	16.1	15.4
Parents and homebuilders (35 to 49)	8,922	22.7	21.9
Older workers and pre-retirees (50 to 59)	4,559	11.6	12.2
Empty nesters and retirees (60 to 69)	3,638	9.2	9.0
Seniors (70 to 84)	3,284	8.3	7.2
Elderly aged (85 and over)	668	1.7	1.8
Total population	39,355	100.0	100.0

Source: Botany.id community profile.

Birthplace and language

- ▶ Nearly half of the population was born overseas.
- ▶ Of people born overseas most are from non-English speaking backgrounds with the most common country of birth being China and Indonesia.
- ▶ A large proportion of the population speaks a language other than English at home with the most common being Greek (spoken at home by 5.8% of LGA residents), Bengali (3.6%), Indonesian (3.2%), Spanish (3.2%), Mandarin (3.0%) and Cantonese (3.0%).

Household size and structure

In August 2011 there were 14,118 households in the LGA.

- ▶ There was a lower occupancy rate of 2.6, compared to the Sydney GCCSA³ (2.7).
- ▶ Nearly a quarter of the Botany Bay LGA households were lone persons (24.5%), slightly higher than the Sydney GCCSA (22.6%).
- ▶ There was also a slightly higher proportion of group households (4.8%) compared to the Sydney GCCSA (4.3%).
- ▶ The LGA had a higher proportion of single parent families (17.6%) compared to the GCCSA (15.7%).

Dwelling type

The LGA had a total of 14,120 occupied private dwellings.

- ▶ Separate houses accounted for 5,577 dwellings, or 39.5% of the dwelling stock in the Botany Bay LGA, which is substantially lower than that in the Sydney GCCSA (56.5%).
- ▶ Semi-detached, row or terrace houses, townhouses etc. accounted for 2,066 dwellings or 14.6% of the dwelling stock in the City, which is higher than that in the GCCSA at 11.8%.
- ▶ There were a significantly higher proportion of flats, units or apartments (45.1%) in the LGA compared to the Sydney GCCSA (23.9%).
- ▶ Most of the flats, units or apartments were 2 bedroom dwellings (4,131 or 64.9%).

³ Greater Capital City Statistical Areas (GCCSAs) are geographical areas that are designed to represent the functional extent of each of the eight state and territory capital cities.

Dwelling structure by tenure / landlord type

- ▶ There are a higher proportion of rented dwellings in the Botany Bay LGA (37.6%) compared to the Sydney GCCSA (31.6%).
- ▶ There is a lower proportion of occupied private dwellings that were owned outright (28.2%) or owned with a mortgage (30.8%) compared to the Sydney GCCSA (30.4% and 34.8% respectively).

Population / residential trends

After a period of population decline, the City of Botany Bay has experienced a growth in population in recent years. Almost all of its growth has occurred over the last twelve years.

Two key trends are shaping the demographic composition of the LGA. The first is the aging of the area's traditional multicultural and working class population, and population regeneration by younger professionals. The second is the conversion of large areas of industrial land to residential uses and the corresponding population growth (such as the Mascot Station Precinct and the former BATA site at Eastgardens).

These two trends mean that the population is likely to increase significantly over the next twenty years, while at the same time changing its demographic profile. Younger, more affluent residents (often families with children) are likely to require different facilities and services than those required by the area's population over the past several decades. This will mean require council to provide additional community infrastructure to support the needs of new residents, in addition to the existing population. In areas of rapid change such as Mascot Station and Eastgardens, the demand for facilities and services is likely to be totally different.

The population of the LGA has expanded particularly rapidly in the last five years between the 2006 and 2011 censuses, with a total population growth close to 10%. Growth to 2016 and been strong in particular around Mascot Station and this growth is expected to continue in the medium term as this area and other areas of change

such as the BATA site are redeveloped. Longer term population trends are displayed in Table 3.2 and Table 3.3.

Should the rate of growth continue it will be important for Council to ensure the needs of the population are met and able to accommodate the additional demands placed on infrastructure and services.

Information on population growth and change has been derived from the ABS Censuses on Population and Housing 2001, 2006 and 2011. Population trends data is based upon place of residence census counts which is estimated to undercount resident populations by 1-3%.

Population growth

In August 2011 the City had a population of 39,356 persons. This represents an increase of 3,367 people from 2006, or an average annual increase of 1.7% each year since 2006.

Table 3.2: City of Botany Bay longer-term population trends⁴

YEAR	POPULATION	POPULATION CHANGE	AVERAGE CHANGE PER ANNUM %
1976	37,550	-	-
1981	35,800	-1,750	-0.98%
1986	35,500	-300	-0.17%
1991	34,332	-1,168	-0.68%
1996	34,438	106	0.06%
2001	35,569	1,131	0.64%
2006	35,993	424	0.24%
2011	39,356	3,363	1.71%

⁴ Data in this table is based upon place of residence census counts. The Census is estimated to undercount resident populations by 1-3%. At the time of writing, an estimated resident population (ERP) count based upon the 2011 census was not available. In census years, the ERP accounts for residents, who may not have returned a census form, were overseas or for other reasons did not complete the census. For consistency all figures in Table 3.3 refer to census counts, rather than ERP.

Table 3.3 – City of Botany Bay population by suburb 2001-2011

SUBURB	2001	2006	2011	CHANGE 2001-2011	
Banksmeadow / Botany ⁵	7234	7939	8896	1662	23.0%
Daceyville	1163	1187	1164	1	0.1%
Eastlakes	7108	6612	6920	-188	-2.6%
Hillsdale	5842	5173	5301	-541	-9.3%
Mascot	7664	8517	10179	2515	32.8%
Pagewood	3386	3467	4099	713	21.1%
Rosebery	2719	2678	2772	53	1.9%
Total	35,569	35,992	39,359	3790	10.6%

Source: ABS Usual resident profiles (2001), basic community profiles (2006 & 2011)

Population growth by suburb shows significant growth in the Banksmeadow/Botany (23% population increase), Mascot (32.8%) and Pagewood (21.1%) suburbs.

The majority of growth within the LGA over the last ten years has been concentrated within Mascot and Botany suburbs.

Population trends

Comparison of the Census data between 2001 and 2011 shows the following key trends:

- ▶ The population has increased by 11.0% between 2001 and 2011.
- ▶ The City of Botany Bay has an aging population with the largest increase by proportion being in residents over the age of 75, who have as a group increased by 22.0%
- ▶ There has been significant growth in the number of young children (15.7% for children aged 0-4 years)
- ▶ There has also been a significant increase in the number of 25-29 year olds (15.9%)
- ▶ Whilst there has been growth in the 0-4 years and older age groups there has been very minimal growth in the number of older school aged and young adult populations.
- ▶ The average household size has decreased slightly from 2.7 in 2001 to 2.6 in 2006 and 2011.
- ▶ The majority of households remain family households, although there has been a slight decrease over the last 10 years from 72.7% in 2001 to 70.7% in 2011.
- ▶ There has been a decrease in the proportion of single parent families in the last ten years, despite a small rise in the absolute number.

Housing trends

- ▶ There has been a decrease in the proportion of separate houses (from 42.6% of dwelling stock to 39.5%) and an increase in the proportion of flats, units or apartments (40.4% to 45.1%) in the LGA over the last 10 years.

⁵ The suburb of Banksmeadow was counted as part of Botany in the 2001 census, as a separate suburb in 2006, and was redrawn to be largely subsumed into Botany in 2011; in this table the populations of Banksmeadow and Botany have been combined in order to present a stable geographic area.

3.2 Population projections

Population projections for the Botany Bay LGA have been calculated to determine the demand for local infrastructure as a basis for developer contributions.

Projections have been based upon dwelling yield calculations in areas of the LGA with redevelopment expected under the new Botany Bay Local Environmental Plan. These figures were initially detailed in a report for Council prepared by Neustein Urban in 2011 and have been adjusted having regard to zoning under the Botany Bay Local Environmental Plan 2013, recent population projections from Department of Planning and Environment and development trends particularly in the Mascot Station Precinct.

In addition to this intensification, development for residential and mixed use purposes is expected at several large sites throughout the LGA. These sites include the former British American Tobacco (BATA) site in Eastgardens.

The population projections have been guided also by the projections prepared by Botany .id community profile and the Department of Planning and Environment adjusted where appropriate with the results of more specific investigations into the development potential of areas such as Mascot Station Precinct.

Dwelling and population projections are presented below in Table 3.4. The projections are based upon the 2011 LGA-wide occupancy rates for apartments in the key growth areas such as Mascot Station and BATA and average rates for flats, town houses and terrace houses elsewhere. The rate of development has been influenced by capacity analysis and recent development activity.

Table 3.4 – Population projections by suburb

SUBURB	2016	2021	2031	INCREASE 2016-2021	INCREASE 2016-2031
Botany	10,189	11,039	12,435	850	2,246
Daceyville	1,229	1,229	1,229	0	0
Eastgardens	970	4,510	7,696	3540	6,726
Eastlakes	7,618	8,114	8,264	496	646
Hillsdale	5,251	5,723	5,935	472	684
Mascot	18,617	23,545	26,166	4928	7,549
Pagewood	3,878	3,920	4,181	42	304
Rosebery	3,039	3,157	3,712	118	673
Total projected population⁶	50,791	61,237	69,618	10,466	18,827

Note: Based on ABS ERP for 2011.

The population of the LGA is expected to increase by 18,827 between 2016 and 2031. This rate of growth will be enabled by intensification of existing low-density residential areas, the ongoing development of the Mascot Station Precinct, and the redevelopment of lands currently used for residential industrial and commercial purposes. Additional dwellings are predicted to be apartments or townhouses.

Key features of this growth are:

- ▶ A significant increase in Mascot resulting primarily from growth in the Mascot Station Precinct.
- ▶ Some growth in Botany, primarily due to several large developments including the Wilson Pemberton precinct, Tupia Street and Jasmine Street.
- ▶ An estimated eight-fold increase in the number of residents in Eastgardens due to the redevelopment of the former BATA site.
- ▶ Minimal growth is predicted in Pagewood, Daceyville and Hillsdale.

⁶ Totals include Banksmeadow (12 persons).

Characteristics of the incoming population

Much of the future growth in City of Botany Bay LGA is expected in medium - and high - density apartment buildings located in the Mascot Station Precinct and on several other large sites identified for redevelopment throughout the LGA. It is reasonable to expect that the demographic composition of residents of these additional dwellings may be different from Botany Bay's traditional population.

It is generally considered that the residents of developments similar to those of the Mascot Station Precinct (such as developments in Rosebery and Green Square) are younger and more affluent than the general population.

Examination of recently completed developments in Botany Bay may indicate the likely demographic profile of future residents in the LGA. Statistical Area 1 (SA1) 1132216 has been identified as the most suitable basis for such comparisons. This area is bounded by Gardeners Road in the north, Church Ave in the south, and Bourke St in the west; it ends slightly before the SWOOS reserve in the east.

SA1 1132216 contains a large development consisting of six recently constructed apartment buildings, between five and eight floors, as well as buildings used for business or office purposes. The SA1 lies close to the centre of the Mascot Station Precinct, and the public transport corridors of Gardener's Road and O'Riordan Street. At the time of the 2011 Census there were 296 total dwellings in the area, with 705 residents.

It is considered that the incoming population of the Botany Bay LGA will have demographic characteristics broadly similar to the resident population of SA1 1132216.

The overall demographic profile of the SA1 suggests a relatively young professional population, often living with partners, that is fairly well off and entering the housing market.

Residents of the SA1 are likely to be:

- ▶ **Younger:** 70.5% of the population is aged 25-54:

AGE GROUP	SA1 1132216	LGA
0-4 years	7.9%	6.7%
5-14 years	4.3%	11.4%
25-54 years	70.5%	44.8%
55-64 years	5.1%	10.5%
65+ years	1.8%	14.4%

- ▶ **Starting families:** The area is attractive to couples without children, or with very young children, but is less desirable for families with school-aged children (7.9% of SA1 residents are aged 0-4, compared to 6.7% of the LGA, but only 4.3% of the SA1 is 5-14 compared to 11.4% of the LGA) – at least at 2011 which would have been soon after moving in.
- ▶ **Couples without children:** residents in this kind of household were almost twice as common in the SA1, compared to the LGA (42.3% compared to 23.0%).
- ▶ **More affluent:** with a median household income (\$2,278) almost double that of the LGA (\$1,245).
- ▶ **Educated:** 83.1% of SA1 residents had completed year 12 or equivalent, compared to 55.7% of the LGA.
- ▶ **Culturally and linguistically diverse:** 51.6% of residents in the SA1 were born in non-English-speaking countries, significantly more than in the LGA as a whole (35.9%); this suggests that Botany Bay's community will maintain its diverse composition.
- ▶ **Living in smaller households:** with an occupancy rate of 2.4, compared to 2.6 for the LGA.
- ▶ **Buying their home:** dwellings in the SA1 were twice as likely to be owned with a mortgage as those in the wider LGA (61.0% compared to 30.8%). Overall home ownership levels (including homes owned outright and those with a mortgage) were less uneven, at 66.5% for the SA1 and 59.0% for the LGA.

3.3 Employment growth and projections

Workforce trends

The working population of the City has remained approximately stable since 2001, following a small dip in 2006; the City had 42,680 workers in 2001, 39,796 workers in 2006, and 44,638 workers in 2011 (Census data). At 2011 9.6% of workers also live in the City. The proportion of full-time workers in Botany Bay fell slightly over the past ten years, from 73.0% (2001) to 71.6% (2011).

Workers born in a non-English-speaking country make up an increasingly large proportion of the workforce, but have fallen somewhat since 2006; 28.8% of workers were from a NESB in 2001, 37.3% in 2006, and 32.3% in 2011.

Private vehicles are the predominant form of transportation to work for the LGA's workforce, and have been stable over the last ten years (68.4% in 2001, 68.5% in 2006); this mode of transport is significantly more common in the LGA than in the Greater Sydney area (59.3% in 2011).

Workforce projections

Projections of employment are based on the Bureau of Transport Statistics projections of employment adjusted to take into consideration local development trends. The number of people working in the City of Botany Bay increased from 50,432 in 2006 to 55,364 in 2011.⁷

A large proportion of Botany's employment is based in its industrial lands (including Port Botany and Sydney Airport, the Mascot Industrial Area) in manufacturing and freight/logistics-related sectors.

The 2010 LEP Standards and Urban Design Controls Study (Neustein Urban, David Lock Associates, and Taylor Brammer, 2010) has calculated future employment potential on the basis of a detailed capacity analysis. Capacity assessment has considered the maximum number of employees that could work on sites considered suitable for redevelopment for employment purposes, including mixed use zoning.

Workforce projections for the Botany Bay LGA are based upon the Bureau of Transport Statistics projections adjusted to account for the revised Mascot Station Precinct projections provided in the Mascot Town Centre Transport Management and Accessibility Plan (SMEC, 2012).

Table 3.5 displays the predicted employment growth in the Botany Bay LGA between 2011 and 2031. These figures are based upon the additional employment projections detailed above, added to a 2011 baseline employment figure.

Table 3.5 – Botany Bay workforce projections by suburb

SUBURB	2016	2021	2031	INCREASE 2016-2021	INCREASE 2016-2031
Botany	8244	8631	9501	388	1258
Daceyville	300	317	348	18	49
Eastgardens	3781	3812	3985	31	204
Eastlakes	847	879	922	33	76
Hillsdale	954	955	956	1	2
Mascot Station Precinct	23944	25400	29000	1456	5056
Pagewood	724	705	703	-19	-21
Rosebery & Mascot Remainder	2496	2631	2821	136	326
Airport	11329	11560	11700	231	371
Port and Banksmeadow	5436	5633	7779	197	2343
Total	58,053	60,523	67,715	2,470	9,662

⁷ BTS data on jobs in a particular area differ from the Census journey to work data because the BTS adjusts for under enumeration.

3.4 Facilities and services

The facilities and services to be funded under this plan are shown in Appendix A.

3.5 Staging of facilities and services

The anticipated timing of provision of the identified facilities and services is shown in the work schedule in Appendix A. This is subject to review and change dependent on availability of funds, changing priorities and other factors.

Hence, it should be considered indicative. In some cases works will be undertaken when population thresholds are reached.

3.6 The priority for facilities and services to be provided

Table A in Appendix A provides an indication of priorities for expenditure. It is intended that these priorities will be followed in the event that funds are pooled.

These priorities are subject to change based on Council priorities and rates of development in different parts of the City.



4 References

Botany Bay Council (2013) Open Space & Recreation Needs Analysis prepared for Council by Recreation Planning Associates

City of Botany Bay Open Space and Recreation Study for the City of Botany Bay (2012); Botany Bay Local Environmental Plan 2013 and Development Control Plan 2013

Botany Bay Council (2009) Botany Bay Planning Strategy 2031 Final Report, prepared for Council by SGS Economics and Planning

Botany Bay City Council (2008) Botany Bay Strategic Planning Study: Future Demand and Supply of Housing Final Report prepared for Council by SGS Economics and Planning

Botany Bay City Council (2010) LEP Standards and Urban Design Controls Study for the City of Botany Bay LEP 2011 prepared by Neustein Urban, David Lock Associates and Taylor Brammer Landscape Architects

Profile.id community profile Botany

NSW Planning and Environment (2014), New South Wales State and Local Government Area Population, Household and Dwelling Projections: 2014 Final

NSW Bureau of Transport Statistics (2012) Employment Forecasts by Industry (produced from Small Area Employment Forecasting Model)

Appendix A Work schedule

NATURE OF WORKS PROPOSED	DESCRIPTION	TOTAL CAPITAL COST	STAGING PRIORITY
COMMUNITY FACILITIES			
Mobile Library Service		\$800,000	M
Access Upgrades to Community Buildings		\$5,000,000	L
Sub-total		\$5,800,000	
RECREATION FACILITIES			
OS91 Botany Aquatic Centre	Redevelop centre including enclosed pools, water play, dry leisure facilities, gym, crèche, wellness facilities, car park and refreshment services; irrigation; master plan	\$53,695,972	L
Sub-total		\$53,695,972	
DRAINAGE WORKS			
Land Acquisition Lot 9		\$5,481,600	S
Sub-total		\$5,481,600	
ROAD WORKS			
Mascot Shops			
R4.16B – Botany Lane Widening from King Street to Wentworth Avenue	Road construction (acquisition through DA process)	\$1,460,835	
Sub-total		\$1,460,835	
Roadworks – Industrial Areas			
Mascot South Industrial Area			
R4.10 Road upgrades – Mascot South	Road improvements - upgrade roads to deal with the increased traffic	\$382,675	
R4.11 Road upgrades – Mascot South	Implement measures to allow pedestrians/ cyclists and through traffic to co- exist with traffic	\$63,779	
Sub-total		\$446,454	



NATURE OF WORKS PROPOSED	DESCRIPTION	TOTAL CAPITAL COST	STAGING PRIORITY
Mascot West Industrial Area			
	Implement measures to allow pedestrians/ cyclists and through traffic to co-exist with traffic	\$517,298	
	Various works	\$129,324	
	Road improvements - upgrade roads to deal with the increased traffic	\$2,586,495	
	Design and investigation to improve lighting	\$129,325	
Sub-total		\$3,362,442	
Mascot Industrial / Lord Street Areas			
	Road improvements - upgrade roads to deal with the increased traffic		
	Implement measures to allow pedestrians/ cyclists and through traffic to co- exist with traffic		
Sub-total		\$107,200	
Botany West Industrial Area			
	Traffic Management		
	Pedestrian mobility		
	Road degradation by increased heavy vehicle use		
	Cycleway		
	Street lighting		
Sub-total		\$1,126,600	



NATURE OF WORKS PROPOSED	DESCRIPTION	TOTAL CAPITAL COST	STAGING PRIORITY
Banksmeadow Industrial Area (South)			
	Traffic Management		
	Pedestrian mobility		
	Road degradation by increased heavy vehicle use		
	Cycleway		
	Street lighting		
	Botany Road and Stephen Road		
	Exell Street		
Sub-total		\$6,612,600	
Banksmeadow Industrial Area (North)			
	Traffic Management		
	Pedestrian mobility		
	Road degradation by increased heavy vehicle use		
	Cycleway		
	Street lighting		
Sub-total		\$1,603,200	
	Traffic Lights at Wentworth Avenue and Baker Street	\$800,000	
Sub-total		\$2,403,200	
TOTAL		\$15,519,331	

Appendix B **Work schedule map**



Appendix C Cost report for calculation of S94A levy

Cost Estimate Report	
Applicant:	
Applicant Address:	
Site Address:	
Analysis of Development Cost:	
Item	Cost (\$)
To be determined by adding up all the costs and expenses that have been or are to be incurred by the applicant in carrying out the development, including the following: (a) if the development involves the erection of a building, or the carrying out of engineering or construction work—the costs of or incidental to erecting the building, or carrying out the work, including the costs (if any) of and incidental to demolition, excavation and site preparation, decontamination or remediation; (b) if the development involves a change of use of land—the costs of or incidental to doing anything necessary to enable the use of the land to be changed; (c) if the development involves the subdivision of land—the costs of or incidental to preparing, executing and registering the plan of subdivision and any related covenants, easements or other rights.	
But excluding: (a) the cost of the land on which the development is to be carried out; (b) the costs of any repairs to any building or works on the land that are to be retained in connection with the development; (c) the costs associated with marketing or financing the development (including interest on any loans); (d) the costs associated with legal work carried out or to be carried out in connection with the development; (e) project management costs associated with the development; (f) the cost of building insurance in respect of the development; (g) the costs of fittings and furnishings, including any refitting or refurbishing, associated with the development (except where the development involves an enlargement, expansion or intensification of a current use of land); (h) the costs of commercial stock inventory; (i) any taxes, levies or charges (other than GST) paid or payable in connection with the development by or under any law; (j) the costs of enabling access by disabled persons in respect of the development; (k) the costs of energy and water efficiency measures associated with the development; (l) the cost of any development that is provided as affordable housing; (m) the costs of any development that is the adaptive reuse of a heritage item.	
TOTAL	

I certify that I have:

- ▶ Inspected the plans the subject of the application for development consent or complying development certificate.
- ▶ Calculated the development costs in accordance with the definition of development costs in clause 25J of the EP&A Regulation 2000 at current prices including GST.

Signature:	
Name:	
Position and Qualifications:	

For clarification, this estimate is different from the estimate of costs of development for the purposes of determining the DA fee and from the estimate of the capital investment value.

Figures

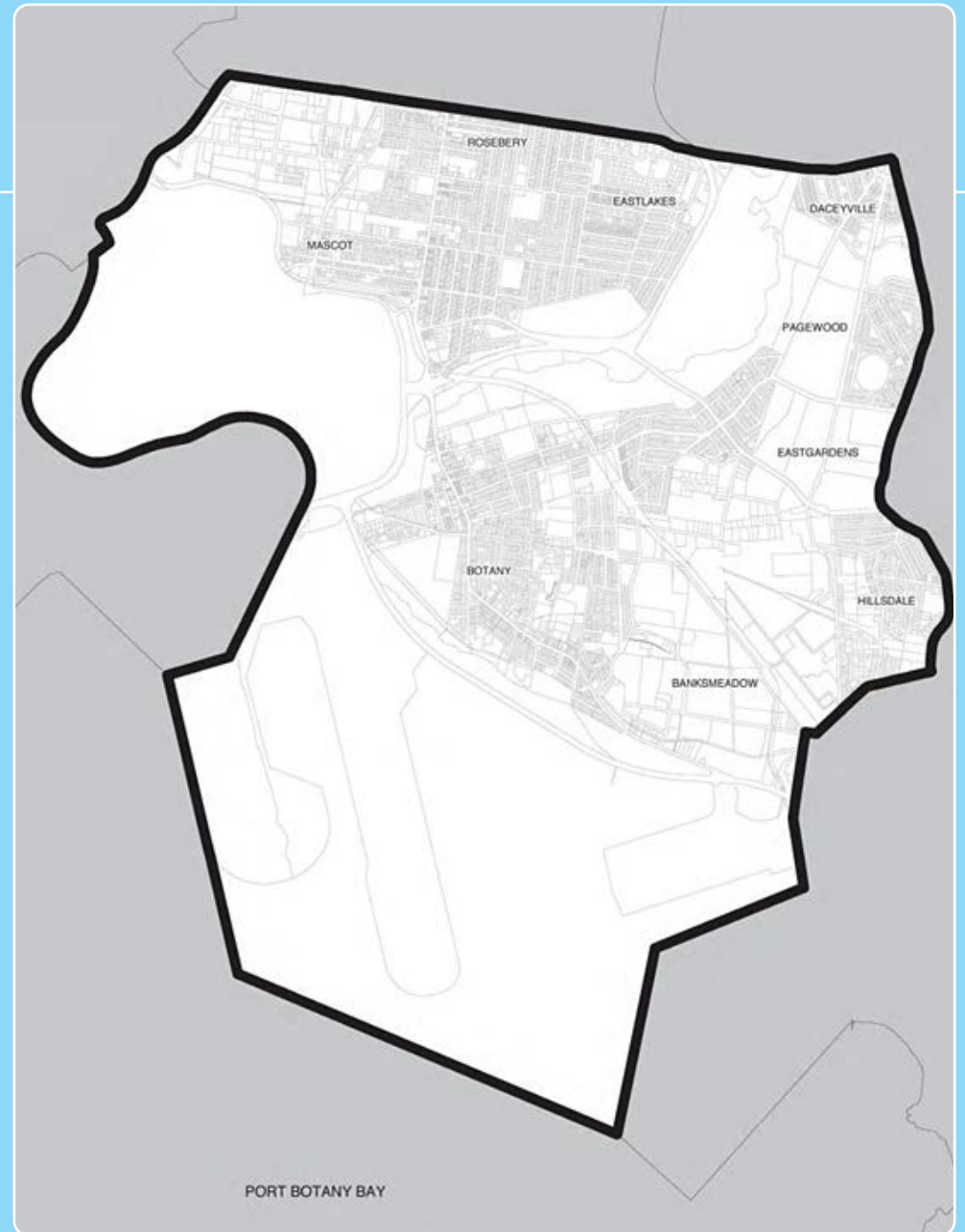


Figure 1

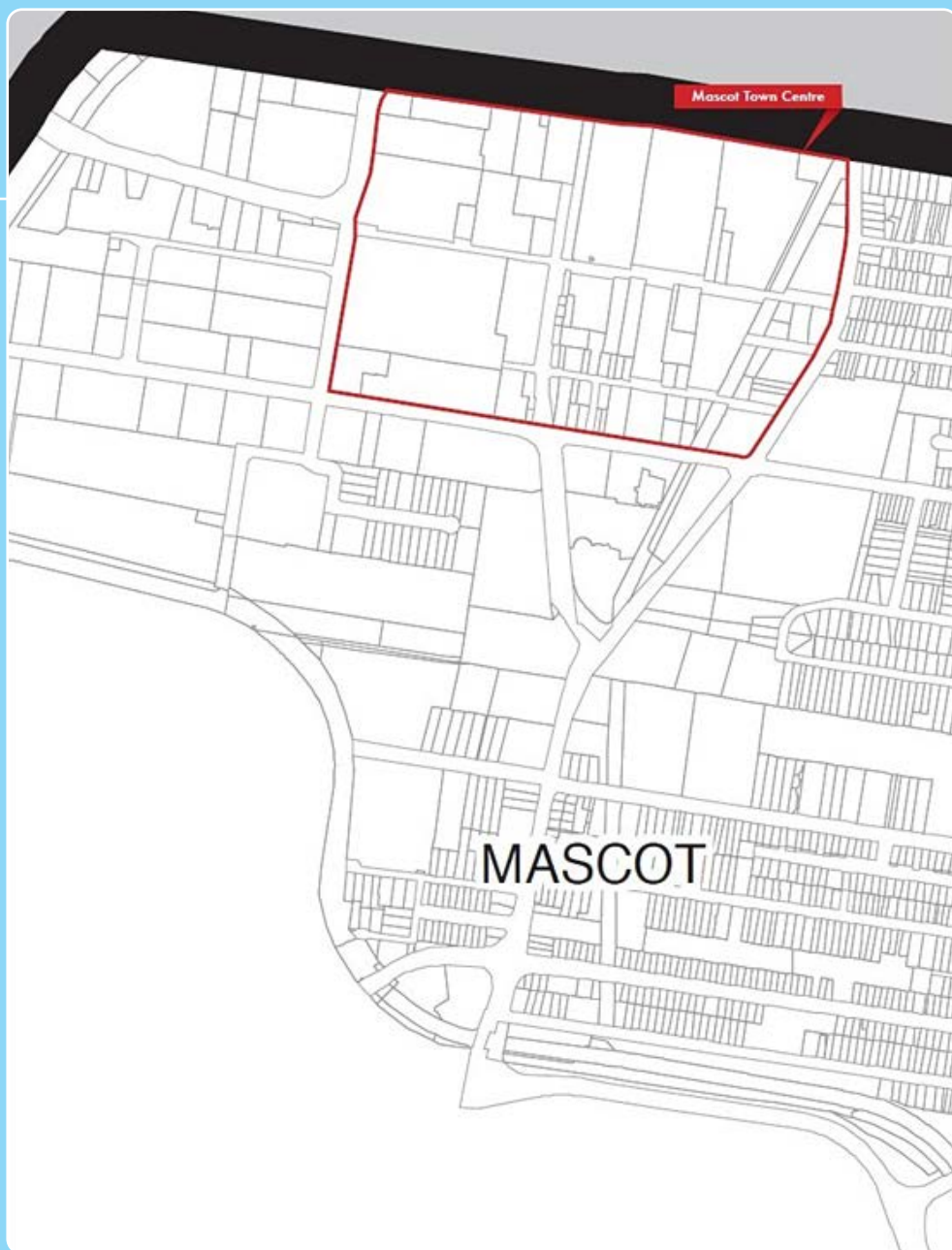


Figure 2



Figure 3



Bayside Customer Service Centres

Rockdale Library, 444-446 Princes Highway, Rockdale
Westfield Eastgardens, 152 Bunnerong Road, Eastgardens
Monday to Friday 8:30am – 4:30pm

Phone **1300 581 299 | 9562 1666**
Email **council@bayside.nsw.gov.au**
Web **www.bayside.nsw.gov.au**