

Eurobodalla Local Infrastructure Contributions Plan 2012



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1. Introduction

1.1 Overview of this Plan

Eurobodalla Shire is on the New South Wales South Coast, with major centres at Batemans Bay, Moruya and Narooma. It has an area of approximately 3,400 square kilometres.

The coastal areas of the Shire are more strongly oriented towards residential development and tourism, particularly around Batemans Bay. The rural lands along the Princes Highway corridor are highly productive with dairying and grazing the most notable agricultural industries. Inland areas are mountainous and dominated by National Park and State Forest.

The primary housing market role that the Shire has played in recent decades has been to provide housing for retirees and young families from Sydney and Canberra in a coastal or semi-rural environment. This role is expected to continue in the future, although the amount of infill development in the townships is expected to increase. Infill housing will lead to greater demand for urban services and facilities in established towns and provide a greater diversity in housing stock (id.consulting 2008: 4).

Future development of existing and nominated urban development areas will result in Eurobodalla LGA's population increasing from the current (2006) 36,595 to about 50,874 by 2031. Growth will be spread across the LGA but is likely to be most concentrated in the Northern District.

This Plan focuses on the projected demands for local infrastructure arising from this expected development.

Existing facilities and services have been generally designed to accommodate the existing population of Eurobodalla. Future residential development, and the populations that will occupy such development, can only be sustained by a significant investment in new and augmented facilities and services.

The occupants and users of the development that is expected to occur in the Eurobodalla LGA over the next 25 years will generate an increase in the demand for local infrastructure, namely:

- increased demand for district and Shire open space and recreation facilities;
- increased demand for spaces that will foster community life and the development of social capital, such as multi-purpose community centres and libraries; and
- increased demand for facilities that will support safe and convenient travel within, to and through the LGA, including cycleway facilities.

A range of local infrastructure has been identified as being required to address the extra demands anticipated from the expected development.

New development should make a reasonable contribution toward the provision of new and/or augmented local infrastructure to meet this additional demand.

Section 94 of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**) authorises a consent authority responsible for determining a development application to grant consent to a proposed development subject to a condition requiring a reasonable contribution to be made toward the provision, extension or augmentation of local infrastructure within the area, or toward the recoupment of the cost of existing local infrastructure in the area.

Where the consent authority is a council or an accredited certifier, such a contribution may be imposed on a development only if it is of a kind allowed by and determined in accordance with a contributions plan, such as this Plan.

This Plan has been prepared:

- in accordance with the EP&A Act and *Environmental Planning and Assessment Regulation 2000* (**EP&A Regulation**); and
- having regard to the latest Practice Notes issued by the NSW Department of Planning.

This Plan sets out:

- the relationship or nexus between the expected development in the area and the local infrastructure that is required to meet the demands of that development;
- the formulas to be used for determining the reasonable contributions required from expected development for different types of local infrastructure;
- the contribution rates for the anticipated types of development in the area;
- maps showing the location of the local infrastructure proposed to be provided by Eurobodalla Shire Council supported by a works schedule setting out an estimate of their cost; and
- the administrative and accounting arrangements applying to contributions that are required by this Plan.

Important note on references to legislation in this draft Plan:

The Plan has been prepared on the basis that the proposed Part 5B of the Act has not commenced.

In the event that Part 5B commences prior to the Council adopting this draft Plan then the legislation references will be modified to reflect the version of the EP&A Act in force at that time.

2. Administration and operation of this Plan

2.1 Definitions used in this Plan

In this Plan, the following words and phrases have the following meanings:

Accredited Certifier has the same meaning as in the EP&A Act.

Affordable Housing has the same meaning as in the EP&A Act.

Complying Development has the same meaning as in the EP&A Act.

Complying Development Certificate has the same meaning as in the EP&A Act.

Consent Authority has the same meaning as in the EP&A Act but also includes an Accredited Certifier responsible for issuing a Complying Development Certificate.

Council means Eurobodalla Shire Council.

Development has the same meaning as in the EP&A Act.

Dwelling has the same meaning as in the Standard Instrument.

EP&A Act means the Environmental Planning and Assessment Act 1979.

EP&A Regulation means the Environmental Planning and Assessment Regulation 2000.

LGA means local government area.

Minister means the Minister for Planning.

Residential Accommodation has the same meaning as in the Standard Instrument.

Self-contained Dwellings means a dwelling or part of a building (other than a hostel), whether attached to another dwelling or not, housing seniors or people with a disability, where private facilities for significant cooking, sleeping and washing are included in the dwelling or part of the building, but where clothes washing facilities or other facilities for use in connection with the dwelling or part of the building may be provided on a shared basis.

Seniors Housing has the same meaning as in the Standard Instrument.

Standard Instrument means the Standard Instrument – Principal Local Environmental Plan referred to in clause 3 of the Standard Instrument (Local Environmental Plans) Order 2006 amended from time to time in accordance with s33A of the EP&A Act.

2.2 Local infrastructure addressed by this Plan

- This Plan authorises the Consent Authority to levy local infrastructure contributions that will be applied by the Council towards meeting the cost of local infrastructure to be provided by or at the cost of the Council within Eurobodalla Shire.
 - *Provision of infrastructure* is defined in section 94ED of the EP&A Act thus:
94ED Provision of infrastructure
- (1) In this Subdivision, a reference to the provision of infrastructure includes a reference to:
- (a) the provision, extension and augmentation of (or the recoupment of the cost of providing, extending or augmenting) public amenities or public services, affordable housing and transport or other infrastructure relating to land, and
 - (b) the funding of recurrent expenditure relating to the provision, extension and augmentation of public amenities or public services, affordable housing and transport or other infrastructure, and
 - (c) the conservation or enhancement of the natural environment, and
 - (d) the Minister, corporation, Department or Director-General doing any one or more of the following:
 - (i) carrying out of any research or investigation,
 - (ii) preparing any report, study or instrument,
 - (iii) doing any other matter or thing in connection with the exercise of any statutory function under this Act,
- but does not include a reference to water supply or sewerage services.
- (2) Subject to section 94EE (2) (c), infrastructure may be regarded as being provided in relation to development whether or not the infrastructure is provided on land within a special contributions area or within New South Wales.

The types of key local infrastructure required to meet the demands of the expected future development in the Eurobodalla LGA, and which are covered by this Plan, are as follows:

- open space and recreation facilities;
- social and community facilities, such as community centres and libraries;
- local road improvements in the Shire's town centres; and
- cycleway facilities.

2.3 Name of this Plan

This Plan is called the Eurobodalla Local Infrastructure Contributions Plan 2012.

2.4 Purposes of this Plan

The purposes of this Plan are:

- to authorise the Consent Authority, other than an Accredited Certifier, when granting consent to an application to carry out Development to which this Plan applies, to impose a condition under s94 of the EP&A Act, as authorised by this Plan, requiring the payment of a monetary contribution or the dedication of land free of cost or a combination of both towards:
 - the provision, extension or augmentation of local infrastructure within the area; and
 - the recoupment of the cost of providing existing local infrastructure within the area.
- to require the Council or an accredited certifier, when determining an application for a Complying Development Certificate in relation to Development to which this Plan applies, to impose a condition under s94 of the EP&A Act, as authorised by this Plan, requiring the payment of a monetary contribution or the dedication of land free of cost or a combination of both towards the provision of public facilities to meet the demand expected from Development or the recoupment of the cost of public facilities previously provided in preparation for and to facilitate the carrying out of the Development;

2.5 Commencement of this Plan

This Plan commences on 4 July 2012.

2.6 Land to which this Plan applies

This Plan applies to all land within the Eurobodalla LGA.

2.7 Development to which this Plan applies

This Plan applies to Residential Accommodation Development including the subdivision of vacant land likely to be used for such a purpose

2.8 Development exempted from contributions under this Plan

This Plan does not apply to:

- Affordable Housing Development, or
- Seniors Housing Development (other than Self-contained Dwellings forming part of Seniors Housing Development).

2.9 Consistency with directions under section 94E of the EP&A Act

This Plan is not affected by the direction in force under section 94E of the EP&A Act made by the Minister for Planning on 3 March 2011 as the contributions authorised by this Plan do not exceed the amount specified in clause 3 of that direction.

The direction in force under section 94E of the EP&A Act made by the Minister for Planning on 10 November 2006 does not apply to the kind of local infrastructure contributions authorised by this Plan.

This Plan is subject to the direction in force under section 94E of the EP&A Act made by the Minister for Planning on 14 September 2007 concerning the Development of seniors housing within the meaning of the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*, and the direction prevails to the extent of any inconsistency with this Plan.

This Plan is subject to the direction in force under section 94E of the EP&A Act made by the Minister for Planning on 9 September 2009 concerning the Development of certain school Development and the direction prevails to the extent of any inconsistency with this Plan.

2.10 Relationship to other contributions plans

This Plan repeals *Eurobodalla Shire Council Development Contributions Plan 2000-2005* except in so far as that Plan authorises the imposition of conditions under s94 of the EP&A Act in accordance with the following strategies in Chapter 3 of that Plan in relation to the applicable public amenities and public services in the works program in Appendix 1 to that Plan:

- the *Waste Disposal* strategy;
- the *Car Parking* strategy, and
- the *Local Roads* strategy.

This Plan has no effect on any other contributions plan prepared under the EP&A Act.

Section 2.28 of this Plan contains a transitional provision consequent upon the making of this Plan.

2.11 Formulas used for determining contribution rates applicable under this Plan

The formulas used to determine the contributions rates applicable under this Plan are set out in Sections 4.2.4, 4.3.4, 4.4.4, 4.5.4 and 4.6.2.

2.12 Assumed Demand

For the purposes of determining demand for the local infrastructure to which this Plan applies, the Consent Authority may, and in the case of an Accredited Certifier, must, have regard to the information in Table 2.1.

Table 2.1 Assumed demand

Residential development type	Assumed average household occupancy rate
Subdivided lots	2.4 persons per lot
Separate houses	2.4 persons per dwelling
Multi-unit dwellings and dual occupancy dwellings	1.7 persons per dwelling
Seniors-living dwellings	1.5 persons per dwelling

2.13 Monetary contributions may be required as a condition of consent

This Plan authorises the Consent Authority, other than an Accredited Certifier, when granting consent to an application to carry out Development to which this Plan applies, to impose a condition under s94 of the EP&A Act requiring the payment of a direct monetary contribution to Council towards the provision, extension or augmentation of local infrastructure as specified in the works schedule to meet the demands of the Development, or the recoupment of the cost of local infrastructure previously provided within the area.

This Plan requires Council or an accredited certifier, when determining an application for a Complying Development Certificate relating to Development to which this Plan applies, to impose a condition under s94 of the EP & A Act requiring the payment of a direct monetary contribution towards the provision, extension or augmentation of local infrastructure as specified in the works schedule to meet the demands of the Development, or the recoupment of the cost of local infrastructure previously provided within the area.

2.14 Dedication of land free of cost may be required as a condition of consent

This Plan authorises the Consent Authority, other than an Accredited Certifier, when granting consent to an application to carry out Development to which this Plan applies, to impose a condition under s94 of the EP&A Act requiring the dedication of land free of cost to Council towards the provision, extension or augmentation of local infrastructure as specified in the works schedule to meet the demands of the Development, or the recoupment of the cost of local infrastructure previously provided within the area.

This Plan requires the Consent Authority, other than an Accredited Certifier, when determining an application for a Complying Development Certificate relating to Development to which this Plan applies, to impose a condition under section 94 of the EP&A Act requiring the dedication of land free of cost to contribute towards the provision, extension or augmentation of local infrastructure as specified in the works schedule to meet the expected demands of the Development, or the recoupment of the cost of local infrastructure previously provided within the area.

Wherever land required under this Plan is situated within a development site, the Consent Authority will generally require the developer of that land to dedicate the land required under this Plan free of cost.

The value of this land will be taken into account in determining the total monetary contributions required by the Development under this Plan.

The value of the land to be dedicated free of cost will be the *market value* of the land determined in accordance with the *Land Acquisition (Just Terms) Compensation Act 1991*.

2.15 Obligations of Accredited Certifiers

2.15.1 Complying Development Certificates

This Plan authorises that, in relation to an application made to an Accredited Certifier for a Complying Development Certificate:

- the Accredited Certifier must, if a Complying Development Certificate is issued, impose a condition requiring a development contribution, if such a contribution is authorised by this Plan; and
- such contribution can only be a monetary contribution required under this Plan; and
- the amount of the monetary contribution that the Accredited Certifier must so impose is the amount determined in accordance with this Plan.

It is the responsibility of the principal certifying authority to accurately calculate and apply the development contribution conditions to Complying Development Certificates. Deferred payments of contributions required by a condition of a Complying Development Certificate will not be accepted.

If an Accredited Certifier fails to comply with this requirement, the Consent Authority may impose the necessary condition on the Complying Development Certificate and it has effect as if it had been imposed by the Accredited Certifier.

2.15.2 Construction certificates

It is the responsibility of an Accredited Certifier issuing a construction certificate to certify that any development contributions required as a condition of development consent or complying development certificate have been paid to the Council prior to the issue of the certificate.

The Accredited Certifier must ensure that the applicant provides a receipt (or receipts) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the Council in accordance with clause 142(2) of the EP&A Regulation. Failure to follow this procedure may render such a certificate invalid and expose the certifier to legal action.

The only exceptions to the requirement are where a work in kind, material public benefit, dedication of land and/or deferred payment arrangement has been agreed by the Consent Authority. In such cases Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

2.16 Indexation of contribution rates included in this Plan

In accordance with clauses 25(l) and 32(3)(b) of the EP&A Regulation, Council may, without the necessity of preparing a new or amending contributions plan, make changes to the monetary local infrastructure contribution rates set out in this Plan to

reflect annual variations to the Consumer Price Index (All Groups Index) for Sydney as provided by the Australian Bureau of Statistics.

2.17 Indexation of contributions required by a condition imposed under this Plan

A local infrastructure contribution required by a condition of development consent imposed in accordance with this Plan will be adjusted to reflect changes in contribution rates arising from indexation (refer Clause 2.16).

2.18 Timing of payment of monetary local infrastructure contributions required under this Plan

A monetary local infrastructure contribution required to be paid by a condition imposed in accordance with this Plan is to be paid at the time specified in the condition.

Generally, the condition will provide for payment as follows:

- for Development involving subdivision but no subdivision works – payment is to be made before the release of a subdivision certificate relating to the Development;
- for Development involving building, engineering or construction work - payment is to be made before the release of a construction certificate relating to the Development;
- for Development not involving subdivision, or building, engineering or construction work – payment is to be made before the Development is commenced.

2.19 Policy on deferred or periodic payments

The applicant or any other person entitled to act upon a development consent containing a monetary local infrastructure contribution condition imposed in accordance with this Plan may apply in writing to the Consent Authority, other than an Accredited Certifier, under s96 of the EP&A Act to modify the condition to provide for the deferred or periodic payment of the contribution.

In deciding whether to approve the request, the Consent Authority may take into consideration, in addition to any other relevant matters, whether:

- Compliance with clause 2.19 is, in the opinion of the Consent Authority, unreasonable in the circumstances of the case; and
- the person making the application has offered an appropriate form of security (being an unconditional bond, bank guarantee or the like) in respect of the deferred or periodic payment; and
- the application, if approved would be likely to prejudice the implementation of the works schedule to this Plan; and
- the applicant is prepared to pay interest on the unpaid contribution to the Council at a rate equivalent to the 90-day Bank Bill Swap Reference Rate.

2.20 Works in kind and other material public benefits offered in part or full satisfaction of contributions

2.20.1 Offer of a material public benefit made after the imposition of a local infrastructure contribution condition under this Plan

The Consent Authority, other than an Accredited Certifier, may accept an offer made in writing to the Consent Authority by the applicant or any other person entitled to act on a development consent containing a local infrastructure contribution condition imposed in accordance with this Plan that provides for:

- the provision of a material public benefit (other than the dedication of land or the payment of a monetary contribution) in part or full satisfaction of a condition imposed in accordance with this Plan requiring the payment of a monetary local infrastructure contribution (other than by way of recoupment of cost) or the dedication of land free of cost;
- the dedication of land free of cost in part or full satisfaction of a condition already imposed in accordance with this Plan requiring the payment of a monetary local infrastructure contribution towards recoupment of the cost of public facilities previously provided in preparation for and to facilitate the carrying out of the subject Development.

Where the Consent Authority accepts such an offer, it is not necessary for the consent to be amended under s96 of the EP&A Act.

2.20.2 Offer of a material public benefit made before the imposition of a local infrastructure contribution condition under this Plan

An applicant for consent to carry out Development to which this Plan applies may request that any consent granted to the Development is made subject to a condition that the applicant carries out work or provides another material public benefit that would satisfy the requirements of this Plan in relation to the Development.

The applicant's request:

- may be contained in the relevant development application; or
- may constitute an offer to enter into a planning agreement relating to the Development accompanied by the draft agreement.

The Consent Authority will consider the request as part of its assessment of the development application.

If the Consent Authority decides to grant consent to the Development and agrees to a request made in the relevant development application, the Consent Authority, may impose a condition under s80A of the EP&A Act requiring the works to be carried out or the material public benefit to be provided wholly or partly in lieu of a requirement imposed by a condition of development consent authorised by the Plan that the applicant make a local infrastructure contribution.

If the applicant makes an offer to enter into a planning agreement, and the Consent Authority agrees to enter into the agreement, the arrangements in the planning agreement may wholly or partly replace a requirement imposed by a condition of development consent authorised by the Plan that the applicant make a local

infrastructure contribution. If the Consent Authority decides to grant consent to the Development and agrees to enter into the planning agreement, it may impose a condition under clause 25(3) of the EP&A Regulation requiring the agreement to be entered into and performed.

Applicants should refer to the Council's *Planning Agreements Policy 2006*, which has been prepared having regard to the Practice Note on Planning Agreements contained in the *Revised Development Contributions Manual* (DIPNR 2005).

In deciding whether to agree to a request to carry out work or provide another material public benefit that would satisfy the requirements of this Plan, the Consent Authority, may take into consideration, in addition to any other relevant matters, whether:

- the person making the application has offered an appropriate form of security (being an unconditional bond, bank guarantee or the like) in respect of the material public benefit;
- the application, if approved would be likely to prejudice the implementation of the works schedule to this Plan; and

2.20.3 Matters to be considered by the Consent Authority in determining offers of material public benefits

When considering an offer to provide a material public benefit, the Consent Authority will take into account the following:

- the extent to which the proposed material public benefit aligns with the objectives of this Plan, particularly the works schedule;
- the extent to which the proposed material public benefit duplicates or overlaps with existing infrastructure;
- the extent to which the proposed material public benefit will satisfy community demand;
- the extent to which the proposed material public benefit is likely to require public funds for operations and maintenance;
- the applicant's expressed intention as to ultimate ownership the proposed material public benefit;
- the program for provision of the material public benefit;
- the proposed material public benefit conforming to an acceptable standard of workmanship and materials;
- an appropriate defects liability period;
- an agreement as to the cost of the proposed material public benefit which is agreed by both parties; and
- any other matter the Consent Authority, in its discretion, considers pertinent to determining the offer.

2.21 Planning agreement may wholly or partly exclude the application of this Plan to Development

A planning agreement under s93F of the EP&A Act may exclude, wholly or in part, the application of subdivision 3 of Division 6 of Part 4 of the EP&A Act to Development to which this Plan applies. If so, the Consent Authority may not impose a local infrastructure contribution condition under this Plan in respect of that Development (except to the extent that the application of Division 2 of Part 5B of the EP&A Act to the Development is not excluded by the agreement).

If a planning agreement partly excludes the application of Division 2 of Part 5B to Development to which this Plan applies, the local infrastructure contribution that would otherwise be required by this Plan is to be reduced accordingly.

2.22 Credits where the applicant has elsewhere provided benefits to the Consent Authority

The Consent Authority is required by Schedule 1(4) of the EP&A Act to take into consideration any land, money or other material public benefit that an applicant for consent to carry out Development to which this Plan applies has elsewhere dedicated or provided free of cost within the local government area or previously paid to the Consent Authority, other than:

- a benefit provided as a condition of the grant of development consent under this Act, or
- a benefit excluded from consideration by the terms of a planning agreement relating to the Development.

If the Consent Authority is required to take into consideration a benefit that an applicant for consent to carry out Development to which this Plan applies has elsewhere provided to the Consent Authority, the local infrastructure contribution that would otherwise be required by this Plan may, in the proper exercise of the discretion of the Consent Authority, which does not include an Accredited Certifier, be reduced to allow for the benefit so provided.

2.23 Credits where demand for public facilities is satisfied by proposed Development

The Consent Authority, other than an Accredited Certifier, may be satisfied that Development to which this Plan applies may partly or fully satisfy the demand for local infrastructure in respect of which the Consent Authority may impose a local infrastructure contribution condition under this Plan.

In such a case, the local infrastructure contribution that would otherwise be required by this Plan is to be reduced to reflect the reduced demand for the public facility arising from the proposed Development.

2.24 Pooling of development contributions

This Plan authorises monetary local infrastructure contributions paid for different purposes in accordance with the conditions of various development consents authorised by this Plan and any other contributions plan approved by the Council from time to time (whether or not such a plan is one that is repealed by this Plan) to be pooled and applied progressively for those purposes.

The priorities for the expenditure of pooled monetary local infrastructure contributions under this Plan are the priorities for works as set out in the works schedule to this Plan.

2.25 Goods and Services Tax (GST)

This Plan treats as exempt from GST all Contributions, whether monetary or non-monetary, paid to Council under this Plan. This approach accords with Council's assessment that:

- Contributions are not for the provision of a taxable supply, but rather for the grant of development consent, a permission;
- Contributions are for public purposes – funds raised (or non-monetary considerations paid) under this Plan are used for public purposes pursuant to this Plan.
- Items in the works schedule of this Plan have been calculated without any GST component.

2.26 Accountability and access to information

Council is responsible for the maintenance of an accurate and up-to-date register of all local infrastructure contributions. This register details:

- each development consent which contains a local infrastructure contribution condition;
- the nature and extent of the contribution required by the condition;
- the date on which a local infrastructure contribution required by any such condition was received, and its nature and extent.

The register is available for inspection by any person at Council's offices free of charge at any time during normal office hours.

The Council must also maintain accounting records that indicate:

- the various kinds of public facilities for which expenditure is authorised by the Plan,
- the monetary local infrastructure contributions received under the Plan, by reference to the various kinds of public facilities for which they have been received,
- in respect of local infrastructure contributions paid for different purposes, the pooling or progressive application of the contributions for those purposes, in

accordance with any requirements of the Plan or any Ministerial direction under the EP&A Act,

- the amounts spent in accordance with this Plan, by reference to the various kinds of public facilities for which they have been spent.

2.27 Review of Plan without the need for public exhibition

Pursuant to clause 32(3) of the EP&A Regulation, Council may make certain minor adjustments or amendments to the Plan without prior public exhibition and adoption by Council. Minor adjustments could include minor typographical corrections, amendments to rates resulting from changes in the published indexes adopted by this Plan (see Section 2.17).

2.28 Savings and transitional arrangements

This Plan applies to both:

- a development application or Complying Development Certificate submitted after the date on which this Plan took effect; and
- a development application or Complying Development Certificate submitted, but not yet determined, on or before the date on which this Plan took effect.

3. Local infrastructure demands and costs

3.1 Urban and infrastructure planning framework

The urban and infrastructure planning framework for the Eurobodalla Shire is described in the *Eurobodalla Settlement Strategy* (Eurobodalla Shire Council (ESC) 2006a), referred to in this Plan as ‘the ESS’.

The aims of the ESS are ‘to conserve biodiversity, respect our diverse cultural background, stimulate economic and community development, and *provide efficient public services*’ (emphasis added) (ESC 2006a: 13).

The objectives of the ESS include to ‘provide efficient infrastructure and services by managing land release and development fronts to ensure orderly and economic development’ (ibid.: 14).

These purposes are reflected in some of Council’s ‘key aims’ driving strategic natural resource, land use and infrastructure planning, including to ‘plan for, site, size and design public infrastructure and facilities that are adaptable to the changing demographic, modular in capacity and are financed under the principle of intergenerational equity’ (ibid.: 25).

Other key principles for the planning and delivery of infrastructure described in the ESS are listed below:

- infrastructure is planned to satisfy the needs of the resident and visitor population of the Shire for 85 per cent of the time (reflecting the seasonal fluctuations in population and the planning challenges that this presents);
- local infrastructure sequencing in greenfield areas is tied to the sequencing of water, sewer and drainage infrastructure described in development servicing plans prepared by the Council;
- place community and institutional facilities at sites accessible to users;
- facilitate infrastructure and services that meet human needs for all stages of life;
- the costs of infrastructure and services are to be met through a balanced and equitable mix of user fees, developer charges, and rates and charges;
- optimise the use of existing services and infrastructure and promote the efficient provision of any services and infrastructure in the future;
- maintain at least the current rate of provision of services to all urban settlements;
- provide community services and social infrastructure to match the ageing and other forecast demographic characteristics of the Shire;
- optimise the use of existing services and infrastructure and promote the efficient provision of any services and infrastructure;
- apportion the costs of infrastructure and services in a balanced and equitable way to existing and incoming residents;

- new infrastructure is to be designed and existing infrastructure upgraded to anticipate natural hazards and the impacts of climate change; and
- the content of development contributions plans will draw on facilities or projects adopted in current plans of management, cultural plans and estuary management plans. When public facilities needed by development cannot be provided on site, a contribution in accord with the contributions plans may be paid to a public authority. Contributions towards infrastructure are to be based on the additional demands or loads placed on the infrastructure by new development (ibid.: 113, 116, 122, 128).

This Plan responds to those parts of the ESS dealing with managing residential growth and delivery of local infrastructure services by:

- implementing Action I1 of the ESS, namely:

revise the Eurobodalla Development Contributions Plan to take into account demographic trends such as the ageing of the population and the sea change phenomenon and to levy for a wider range of services across a longer timeframe

- complementing Actions I2 and I3 of the ESS – the preparation and implementation of a planning agreement template and policy and a fixed rate levy (section 94A) plan;
- documenting the expected residential development and future growth in the residential population of Eurobodalla Shire;
- identifying the community's evolving service needs, having regard to impacts of the ageing of the resident population and the area function as a 'sea change' migration destination for 'empty nesters' and other household types;
- identifying the local infrastructure that Council considers is required to meet the needs of the growing population; and
- calculating a reasonable contribution that expected residential development should make towards the provision of that local infrastructure.

3.2 Historical development and population

The report titled *Eurobodalla Shire Council Population and Household Forecasts* (id.consulting 2008) contains the most recent appraisal of demographic characteristics and population projections. The contents of that report form the basis of the infrastructure demand assumptions that underpin this contributions plan. The assumptions used by id.consulting to arrive at the results are described on pages 20-22 and 32-37 of the forecasts report.

3.2.1 Historical and existing context

Eurobodalla Shire is on the New South Wales South Coast, with major centres at Batemans Bay, Moruya and Narooma. It has an area of approximately 3,400 square kilometres.

The coastal areas of the Shire are more strongly oriented towards residential development and tourism, particularly around Batemans Bay. The rural lands along the Princes Highway corridor are highly productive with dairying and grazing the most

notable agricultural industries. Inland areas are mountainous and dominated by National Park and State Forest.

The urban centres began as small agricultural service centres and as fishing ports, but expanded rapidly in population during the post-war period, especially in the last 25 years. This has been a result of the growth in tourism based on increasing affluence, as well as increasing numbers of retirees and improvements in road infrastructure and greater mobility. The area has grown in population particularly as a result of the development of Canberra (located 150 kilometres inland from Batemans Bay) and the fact that Batemans Bay is the closest beach resort to that city.

The population of Eurobodalla Shire increased notably during the 1980s, before growing at more moderate rates during the 1990s. There was an increase of more than 10,000 persons in the ten years to 1991 to a population of 27,000 with a further 10,000 people added to the population in the fifteen years to 2006.

The primary housing market role that the Shire has played in recent decades has been to provide housing for retirees and young families from Sydney and Canberra in a coastal or semi-rural environment. This role is expected to continue in the future, although the amount of infill development in the townships is expected to increase. Infill housing will lead to greater demand for urban services and facilities in established towns and provide a greater diversity in housing stock (id.consulting 2008: 4).

3.2.2 Demographic characteristics

The content of this section draws on summaries contained in the report titled *Eurobodalla Shire Social Plan 2005-2009 State of the Community Report* (ESC 2006b).

Features of the Shire's population include the following:

- A median resident age of 44 years, well in excess of the NSW average (35 years). In fact the ageing of the population has been underway for some time now. The proportion of persons aged 60 or more years in 1981 and 2006 was 18.8 and 22.5 per cent respectively, whereas the proportion of children aged less than 15 years in those years declined from 23.0 to 17.3 per cent.
- Couples without children are the most common household type (over 50% of households) and couples with children representing the next most common household type (one-third of all households).
- Separate dwelling houses are the predominant dwelling type, representing 82 percent of all private dwellings.
- Total occupied private dwellings increased from 7,489 in 1981 to 15,321 in 2006 – an annual average increase of 313 occupied private dwellings.
- Lower household incomes than the NSW average and a higher proportion of the population (38.5%) receiving income support benefits than the NSW average (29.5%).
- Unemployment rates significantly higher than the NSW average.
- Retail trade, accommodation / restaurants and health and community services are the predominant employers in the Shire.
- The main population centres are the towns of Batemans Bay, Moruya and Narooma. Development has reinforced this three town model, with services and

facilities, such as shopping centres, schools, swimming pools and libraries being located in each of these main centres which in turn are the primary service centres for the Northern, Central and Southern Districts, respectively.

- In general, the three districts have a similar population structure, with a higher proportion of older residents and a low number of residents in the 15 – 24 years age bracket. This reflects the high number of retirees settling in the Shire and the high number of young people who leave the area to pursue work and study.

3.3 Expected development and population

3.3.1 Projected population

In 2006, the total population of the Shire was estimated at 36,595. It is expected to increase by over 14,000 people to 50,874 by 2031, at an average annual growth rate of 1.33%.

Population projections for the Shire and for component localities and districts are shown in Table 3.1.

A map showing the location of districts within the Shire is shown as Figure 3.1.

The Shire / district classification for infrastructure included in this plan reflects the accessibility that users of services have to the type of facility offered:

- Shire or regional facilities are planned on the basis that users can access them within 45 minutes' travel time by car;
- District facilities – within 20 minutes' travel time by car.

As can be seen from Table 3.1 almost half of the projected population increase is anticipated to occur in and around Batemans Bay in the Northern District of the Shire.

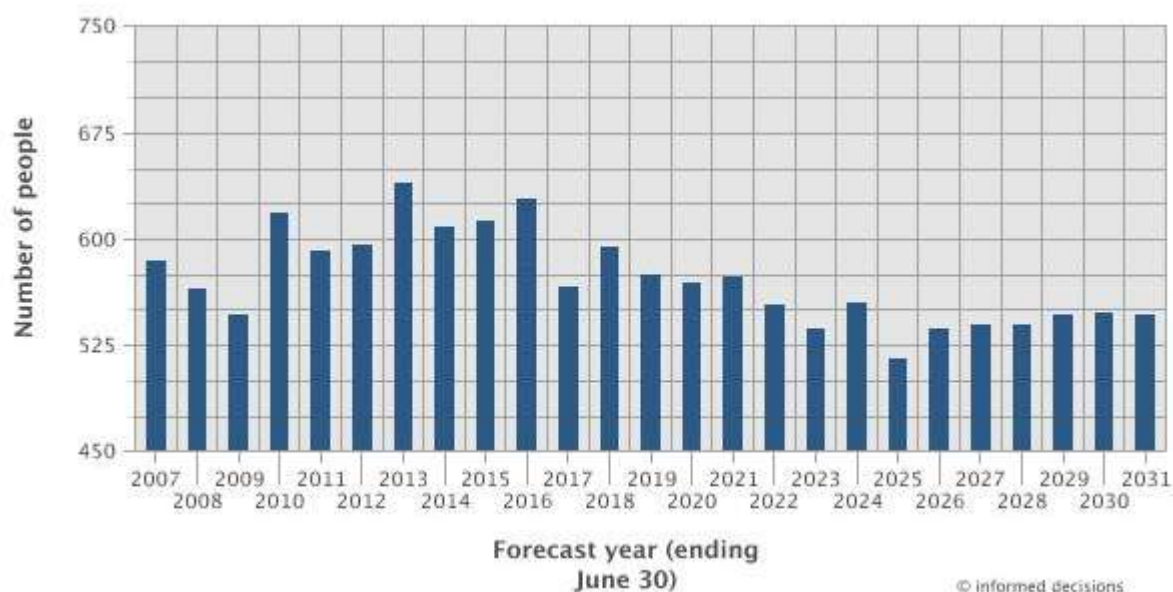
The right hand column of Table 3.1 shows the proportion of the projected future population that will be represented by population growth anticipated to occur after 2006. The proportion is significant as it is the primary basis for the apportionment of costs of local infrastructure identified in this Plan.

Table 3.1 Population projections for Eurobodalla Shire 2006-2031

	2006	2031	Change	Incoming Population Proportion of Total
Northern District				
Surfside - Longbeach – Maloneys Beach - North Batemans Bay	2,910	4,893	1,983	40.5%
Batemans Bay - Catalina	4,021	5,603	1,582	28.2%
Batemans Bay Rural Hinterland	2,647	3,437	790	23.0%
Surfbeach - Batehaven - Sunshine Bay - Denham's Beach	5,551	6,544	993	15.2%
Malua Bay - Lilli Pilli - Rosedale - Guerilla Bay	2,309	3,979	1,670	42.0%
<i>Total Northern</i>	17,438	24,456	7,018	28.7%

	2006	2031	Change	Incoming Population Proportion of Total
Central District				
Broulee - Tomakin - Mossy Point	2,796	4,069	1,273	31.3%
Urban Moruya - Moruya Heads	3,395	4,963	1,568	31.6%
Moruya Rural Hinterland	2,435	3,481	1,046	30.0%
Tuross Head	2,290	2,627	337	12.8%
<i>Total Central</i>	<i>10,916</i>	<i>15,140</i>	<i>4,224</i>	<i>27.9%</i>
Southern District				
Dalmeny	1,999	2,613	614	23.5%
Narooma - North Narooma -Kianga	3,223	4,666	1,443	30.9%
Narooma Rural Hinterland	3,019	3,999	980	24.5%
<i>Total Southern</i>	<i>8,241</i>	<i>11,278</i>	<i>3,037</i>	<i>26.9%</i>
Eurobodalla Shire	36,595	50,874	14,279	28.1%

Source: id.consulting Pty Ltd 2008



Source: id.consulting Pty Ltd 2008: 20

Figure 3.1 Projected populations

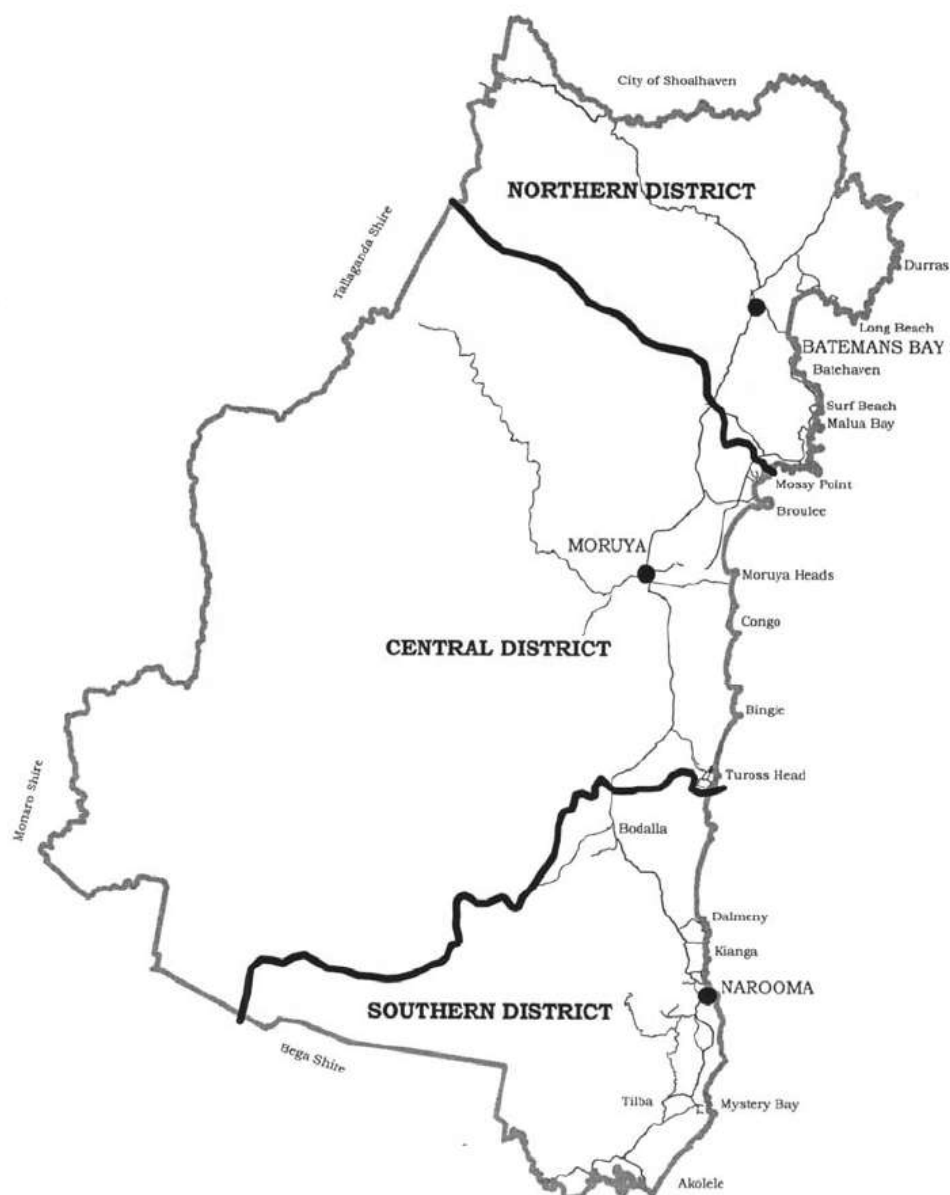


Figure 3.2 Planning districts in Eurobodalla Shire

3.3.2 Demographic characteristics

Although the majority of areas in Eurobodalla Shire attract a combination of young and mature families and retirees, there are some differences between areas. Urban Moruya - Moruya Heads and Broulee - Tomakin - Mossy Point tend to attract a higher share of young families, while Narooma - North Narooma - Kianga, Surfbeach - Batehaven - Sunshine Bay - Denham's Beach and Malua Bay - Lilli Pilli - Rosedale - Guerilla Bay attract a higher share of retirees and older adults. Net migration to Tuross Head is heavily concentrated in retiree age groups, while the rural areas tend to lose persons aged 60 and over as farming households retire to coastal settlements (ibid.: 5).

Table 3.2 shows projected change in the various age groups of Eurobodalla residents between 2006 and 2031.

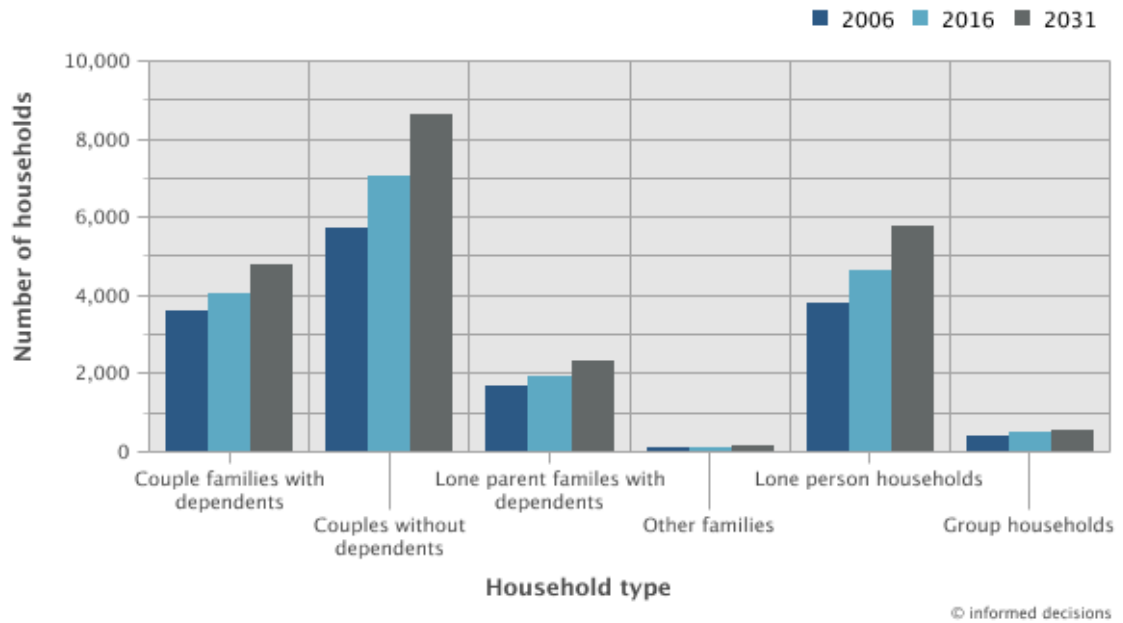
Table 3.2 Age profiles 2006 and 2031, Eurobodalla Shire

Age group (in years)	2006		2031	
	No.	%	No.	%
0 to 4	1,772	4.8	2,367	4.7
5 to 9	2,101	5.7	2,751	5.4
10 to 14	2,502	6.8	3,085	6.1
15 to 19	2,203	6.0	2,628	5.2
20 to 24	1,287	3.5	1,906	3.7
25 to 29	1,281	3.5	1,896	3.7
30 to 34	1,658	4.5	2,276	4.5
35 to 39	1,990	5.4	2,695	5.3
40 to 44	2,332	6.4	2,963	5.8
45 to 49	2,724	7.4	3,167	6.2
50 to 54	2,740	7.5	3,458	6.8
55 to 59	3,017	8.2	3,962	7.8
60 to 64	2,797	7.6	4,160	8.2
65 to 69	2,369	6.5	3,961	7.8
70 to 74	2,036	5.6	3,535	6.9
75 to 79	1,704	4.7	2,787	5.5
80 to 84	1,208	3.3	1,959	3.9
85 and over	864	2.4	1,316	2.6

Source: id.consulting Pty Ltd 2008

In the future, in Eurobodalla there will be:

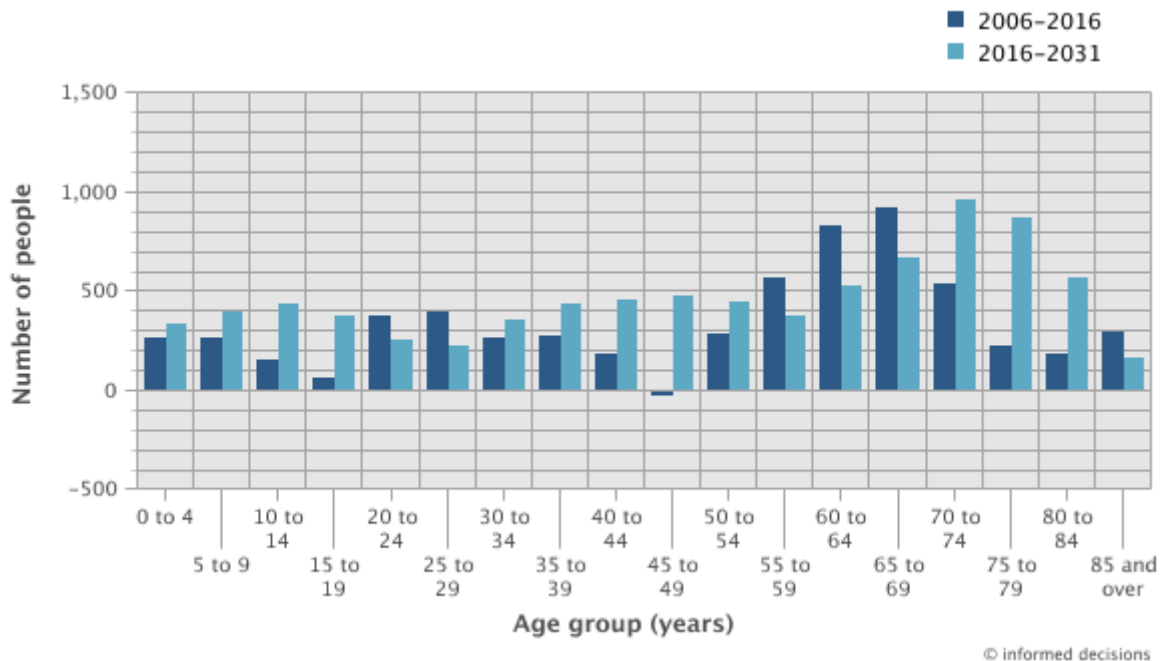
- More people living in the Shire in every age category, however the relative proportion of all groups aged under 20 years, and between 35 and 59 years will decline;
- While the number of children aged under 15 years will increase by 1,828 persons, the projected growth in the number of persons aged 65 or over will be almost 3 times this figure (5,377);
- Increases in the very young (under 5 years) are expected in all areas except the Narooma and Batemans Bay Rural Hinterlands, while the largest increase in the 'old old' age group (75 years and over) will be in Malua Bay – Lilli Pilli – Rosedale – Guerilla Bay localities;
- The largest increases in the number of couple families with children will be in the Broulee - Tomakin - Mossy Point and Surfside - Longbeach – Maloneys Beach - North Batemans Bay localities while increases in the number of couple households without children will be sustained in all areas. Relative size of the different household types in 2006, 2016 and 2031 is shown in Figure 3.3.



Source: id.consulting Pty Ltd 2008: 30

Figure 3.3 Forecast household types, 2006, 2016 and 2031

- Changes in age structure will vary throughout the planning period. Figure 3.4 shows the relative increases in the different age groups during both the 2006-2016 and 2016-2031 periods.



Source: id.consulting Pty Ltd 2008: 27

Figure 3.4 Relative changes in age groups, 2006-2016 and 2016-2031

3.3.3 Future residential development

There are significant differences in the distribution of available residential land and residential land supply opportunities within the Shire which will have a major influence in structuring different population and household futures over the next five to twenty years.

Although residential development opportunities have been identified across most areas of the Shire, the most significant new development opportunities have been identified in Malua Bay - Lilli Pilli - Rosedale - Guerilla Bay, Surfside - Long Beach - Maloneys Beach - North Batemans Bay, Narooma - North Narooma - Kianga and Broulee - Tomakin - Mossy Point.

By contrast, relatively smaller amounts of new dwelling gain are anticipated in Tuross Head, Dalmeny and Batemans Bay Rural Hinterland (ibid.: 5).

It is projected that around 70 percent of projected new dwellings will be accommodated within existing vacant urban zoned land (ESC 2006: 16 and 61-63). Envisaged urban expansion areas (the locations of which are shown in ESC 2006: 72-74) will accommodate the remainder.

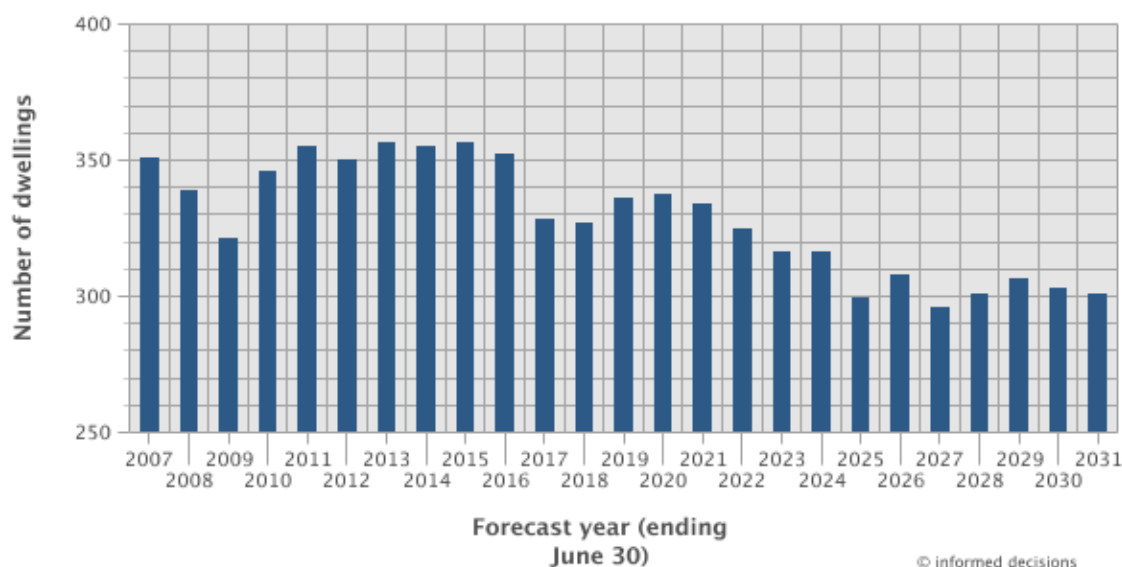
The population assumptions contained in this Plan are based on the projected additional dwellings forecast in the various localities during the period up to 2031 contained in Table 3.3 and shown in Figure 3.5, as prepared by id. consulting. Based on these assumptions almost half of net dwelling growth during the period is likely to occur in the Northern District.

Table 3.3 Projected additional dwellings 2007-2031

	Dwelling growth 2007- 2031
Northern District	
Surfside - Longbeach – Maloneys Beach - North Batemans Bay	1,070
Batemans Bay - Catalina	740
Batemans Bay Rural Hinterland	470
Surfside - Batehaven - Sunshine Bay - Denhams Beach	530
Malua Bay - Lilli Pilli - Rosedale -Guerilla Bay	1,210
<i>Total Northern</i>	<i>4,020</i>
Central District	
Broulee - Tomakin - Mossy Point	860
Urban Moruya - Moruya Heads	770
Moruya Rural Hinterland	530
Tuross Head	260
<i>Total Central</i>	<i>2,420</i>
Southern District	
Dalmeny	340
Narooma - North Narooma -Kianga	890
Narooma Rural Hinterland	540

	Dwelling growth 2007- 2031
<i>Total Southern</i>	1,770
Eurobodalla Shire	8,210

Source: id.consulting Pty Ltd 2008: 20



Source: id.consulting Pty Ltd 2008: 20

Figure 3.5 Project additional dwellings 2007-2031

A summary of projected dwelling and population growth in the Shire, including residents in non-private dwellings and the changing household occupancy rate, is shown in Table 3.4.

Table 3.4 Projections summary

	2006	2016	2031
Total population	36,595	42,587	50,874
Resident population in non-private dwellings	1,120	1,195	1,270
Resident population in private dwellings	35,472	41,391	49,604
Households (i.e. occupied private dwellings)	15,321	18,236	22,139
Dwellings	21,264	24,745	29,478
Average household size	2.32	2.27	2.24

Source: id.consulting Pty Ltd 2008: 23

3.3.4 Household occupancy rates

The likely level of household occupancy within expected future residential development is critical in calculating the contribution rate for various residential development types under this Plan.

Table 3.4 shows that the occupancy rate for all dwellings is likely to decline from 2.32 in 2006 to 2.24 in 2031.

Specific types of residential developments levied under this Plan include:

- conventional residential subdivision accommodating detached dwelling houses;
- multi-unit housing including semi-detached, row or terrace house, townhouse, flat, unit or apartment, etc.; and
- seniors-living independent living units.

Occupancy rates recorded for these dwelling types in Eurobodalla Shire at the 2006 Census are shown in Table 3.5.

Table 3.5 Household occupancy rates for occupied private dwellings: Eurobodalla LGA 2006

Private dwelling type	No. of occupied private dwellings	No. of persons in occupied private dwellings	Occupancy rate (persons per dwelling)
Separate house	11,717	28,351	2.42
Semi-detached, row or terrace house	951	1,676	1.76
Flat, unit or apartment	778	1,232	1.58
Other dwelling	394	675	1.71

Source: ABS 2006 Census of Population and Housing Time Series Profile, Catalogue No. 2003.0, Table 15

This Plan, for the purpose of calculating contribution rates by dwelling type, adjusts the 2006 occupancy rates as follows:

- The occupancy rate for separate houses and subdivision of lots to support separate house development is assumed to be 2.4 persons per dwelling, recognising the projected continuing trend of declining household sizes.
- The occupancy rate for multi-unit housing (excluding seniors living dwellings) is assumed to be 1.7 persons per dwelling. This is considered reasonable given the combined result for multi-unit dwellings (i.e. semi-detached, row, terrace, flat, unit or apartment dwellings) was 1.68 persons per dwelling at the 2006 Census.

The occupancy rate for seniors-living dwellings (independent living units) is assumed to be 1.5 persons per dwelling. The Census does not segment occupancy rates for this dwelling type – it may be expected to comprise part of the stock of semi-detached, row or terrace housing. Compared to conventional multi-unit housing, seniors-living housing may be expected to have fewer persons per household as they will almost exclusively be occupied by one- and two-person households. A figure of 1.5 persons per household is reasonable given this context.

3.3.5 Vacant dwellings and seasonal use of dwellings

The household occupancy rates discussed in Section 3.3.4 refer to the use of *occupied* private dwellings. It is recognised that many of the dwellings in Eurobodalla Shire are vacant from time to time and/or are used for seasonal visitation. As a result, the total population of the Shire and gross household occupancy rates (i.e. for all private dwellings) vary throughout the year. Based on the information set out in Table 3.4, in

2006 Census some 28 per cent of dwellings did not contain a 'household' (i.e. were vacant).

A development contribution must reasonably relate to the demand for public amenities and services anticipated to be generated by that development. Council also needs to consider the impacts on its services at the time of peak visitation – presumably at this time dwelling vacancy falls to very low levels. The issue of vacant residential development is not immediately relevant to the calculation of local infrastructure contributions in that a council has one opportunity to levy local infrastructure contributions on a development (i.e. at the time of development consent). This approach is consistent with the way in which charges for water and sewer infrastructure are determined.

Council's assumption, for the purpose of calculating the contribution, that a proposed dwelling or lot is always occupied is in the circumstances a reasonable precautionary position for the Council to take and is the approach adopted by this Plan.

3.4 Summary of development impacts and infrastructure demands

The Eurobodalla LGA has been experiencing sustained urban development over at least the last three decades.

This is forecast to continue in the greenfield urban development areas nominated in the ESS and as infill residential development in existing urban centres.

Development of existing and nominated urban development areas will result in Eurobodalla LGA's population increasing from the current 36,500 to about 50,900 by 2031.

The residential development and demographic analysis of Eurobodalla indicates the following important trends:

- Families with children will continue to be the most common household type.
- There will be an increasing number of single-parent and lone-person households.
- The number of elderly residents will continue to grow as the population ages.
- Population growth will be well distributed across all three districts, although population growth will remain strongest in the northern district where land availability is highest.
- Most households will comprise detached dwellings with a gradual increase in medium-density housing anticipated.
- The northern district will remain the most popular for all forms of residential development.

Future residential development, and the populations that will occupy such development, can be sustained only by a significant investment in new and augmented public infrastructure, including local infrastructure.

Council has identified that expected residential development will generate increased demand on, and therefore a need to upgrade, the following local infrastructure addressed by this Plan:

- Local and district level open space and recreation facilities

- Local and district level community and cultural facilities
- Local and district roads
- Local and district paths and cycleways

More detail on the demand for local infrastructure, the relationship of the infrastructure with the expected development, and the strategies for the delivery of the infrastructure are included in Section 4 of this Plan.

The costs and programs of works related to these facility categories are shown in Section 4 of this Plan.

4. Strategy plans

4.1 General notes on infrastructure delivery and cost apportionment

4.1.1 How will the local infrastructure be delivered?

Council and accredited certifiers will require contributions from developers under this Plan toward provision of the local infrastructure identified in this Plan.

The contributions required will generally be in the form of monetary contributions, although contributions of land may be required instead of or in addition to monetary contributions.

Developers may choose to provide, subject to the agreement of the Council, one or more infrastructure items identified in this Plan as works-in-kind or provide another type of material public benefit as means of satisfying development contributions required under the Plan (refer Section 2.20 of this Plan).

The planning for the location of all facilities has not yet been finalised. All facilities will be developed in a manner that allows the facilities to effectively serve the demand attributable to development envisaged under this Plan.

The costs and indicative timing of individual works for all categories of infrastructure are included in Section 5.

The location of these works, where this location was known at the time this Plan commenced, is shown on maps included in Section 5.

Council will prepare design concepts for the facilities so that specification and costing of the facilities can be more accurately defined as implementation of this Plan proceeds. This may result in amendment of this Plan.

The facilities strategies included in Section 4 of this Plan are based on strategic information. It is likely that, as the planning process for the different development areas proceeds, modified and more cost-effective solutions that meet the strategy objectives will be developed.

Where alternatives to the works schedule are proposed in conjunction with the development of areas and the alternatives are approved by the Council, the development contribution applicable to a development the subject of a development application may be reviewed, or the works schedule in this Plan updated, or both.

4.1.2 How were the local infrastructure costs derived?

Costs for infrastructure included in this Plan were derived as follows:

- Future planned open space, recreation, civic and community, streetscape and cycleways facilities' costs have been prepared by Council assets staff.
- The cost of land to be acquired under this Plan has been derived from valuation advice provided to Council.

- The cost of existing facilities to be partly recouped under this Plan (including acquired land) is the completed cost of each facility, indexed to the date the Plan is adopted using the *Consumer Price Index (All Groups Index) for Sydney* as published by the Australian Statistician.

At the time this Plan was prepared, the planning for local infrastructure included in this Plan had been carried out but only at a strategic level and there were few, if any, concept plans upon which estimated costs could be based. As a result, a contingency allowance equivalent to 10 percent of the base cost was added to all future works.

The contingency allowance is considered reasonable given the embryonic stage of planning of many facilities included in the Plan.

4.1.3 How are infrastructure costs apportioned to expected development?

The development contribution for each of the items of local infrastructure included in this Plan is determined by dividing the total cost of the item by the service or contribution catchment of the item (which is expressed in persons). This process ensures that fair apportionment of infrastructure costs is calculated for development expected to occur during the currency of this Plan.

The contribution catchments for each item of local infrastructure are shown in the works schedule – Section 5 of this Plan. The catchments reflect the estimated total resident populations of the following geographic areas:

- Whole of Shire
- Northern district
- Central district
- Southern district

For all of the facilities identified in this Plan, in order to determine a reasonable development contribution, the cost has been spread evenly between new development (to satisfy new demand) and Council (to recognise the benefit to existing residents, tourists and others). In this regard, the apportionment rate will reflect the projected proportion of the ultimate (2031) population attributable to new development, as shown in Table 3.1.

Local infrastructure included in this Plan has been sized to reflect the demand generated by the population attributable to the expected residential development under this Plan. Although there is likely to be some demand for some of the facilities generated by employees working in the area and living outside the area, this Plan has not quantified this demand.

As a result, the cost of facilities identified in this Plan has not been apportioned to the non-resident population attributable to expected non-residential development in the Eurobodalla LGA. Demands for local infrastructure generated by non-residential development in the Eurobodalla LGA are addressed under a separate fixed rate levy contributions plan adopted by Council.

4.2 Open space and recreation facilities

This section:

- identifies the projected open space and recreation facility needs of the resident population in development addressed by this Plan; and
- describes the method of calculating a reasonable contribution from development toward the provision of open space and recreation facilities demanded by that development.

4.2.1 Existing provision

In 2000 the Shire had a total of 3,210 hectares of open space including Crown and Shire reserves, excluding National Park and State Forest. The total area of developed open space (as distinct from natural areas) was 1,029 hectares. This equates to 28 hectares of developed open space for each 1,000 residents. It is considered that this rate of open space provision for Shire and district open space and recreation purposes is generous and adequate.

Council's recreation facilities inventory comprises 3 swimming pools, and 1,400 parks, reserves and sportsgrounds.

A swimming pool is located in each of the three main centres – Batemans Bay, Moruya, and Narooma – serving their respective districts.

Each of the three main centres contains at least one major reserve – Hanging Rock Reserve (Batemans Bay), Gundry Reserve (Moruya), and the Bill Smyth Reserve (Narooma). Each of these reserves provides active recreational facilities and sporting grounds. Each of the districts within the Shire is serviced with this type of recreation through the main town centres.

Smaller Council parks and reserves are located throughout the Shire in each of the districts. Numerous beaches are also located along the coast, serving each district and the wider region.

The Shire contains some open space/recreational facilities that are for the benefit of all residents of the Shire - The Eurobodalla Regional Botanic Gardens and the Moruya Showground.

4.2.2 Summary of local infrastructure demand and how that demand will be met

Residential development expected throughout the Eurobodalla Shire is likely to be the major driver of the population increasing from about 36,500 in 2006 to around 50,800 in 2031.

The population increase is likely to be made up of substantial numbers of elderly singles and couples and couples with children – groups that demand a range of both active and passive recreation facilities.

Such development will generate demand for open space and recreation works including:

- New and augmented parks and reserves for both active and passive recreation purposes.
- New and augmented sports facilities, including sports fields, outdoor sports courts, playgrounds, leisure centres, athletics tracks and the like.
- Ancillary services and amenities associated with the provision of the above.

Council will seek a reasonable contribution from expected development towards the estimated cost of these facilities.

In addition to new facilities, the expected development will generate a demand for existing facilities that have been provided, in part, in advance of the development occurring. This Plan therefore authorises Council to impose a reasonable contribution on expected development toward meeting part of the cost of having provided these existing facilities.

There is also demand generated by tourists for open space and recreational facilities in the Eurobodalla Shire. Demand for facilities attributable to new tourism development is to be addressed through a separate contributions plan.

Council's objectives for the provision of open space and recreation facilities required as a consequence of expected residential development are as follows:

- To maintain the current rate of provision of Shire and district-level open space.
- To provide new and augmented facilities of an appropriate scale in an appropriate location matching their service role (i.e. Shire- or district-level facilities).
- To provide each district with an appropriate level of open space and recreation facilities that adequately meets demand of both existing and future populations.
- To implement projects committed under previous contributions plans, the need for which remains relevant for both existing and future populations.

Council has prepared Plans of Management for its open space reserves and recreational facilities throughout the Shire. These plans identify the facilities that are required to be provided or upgraded to meet current and future population demands.

A summary of proposed facilities to meet existing and future infrastructure demands is shown below:

Whole of Shire

- New Hanging Rock Community and Sports Centre
- Expansion of passive recreation facilities at Riverside Park, Moruya
- Improvements to Botanic Gardens
- Existing facilities provided in advance of development

Northern District

- Foreshore reserves improvements
- Athletic track at Surfside
- Skate park extension at Hanging Rock Sports Centre

- Mogo recreation improvements
- Community hall and tennis facilities at Malua Bay
- Existing facilities provided in advance of development

Central District

- Upgraded sporting facilities at Broulee and Moruya
- Existing facilities provided in advance of development

Southern District

- Upgraded sporting facilities at Bodalla
- Upgraded sporting facilities and amenities at Dalmeny Oval, Bill Smyth Oval Sports Complex, NATA Oval and Tilba Tilba Oval
- Existing facilities provided in advance of development

4.2.3 What is the nexus between the expected types of development and the demand for local infrastructure?

As discussed in Section 3.3 of this Plan, residential development is expected to occur in various locations and to different extents within the localities identified in the ESS.

The open space and recreation facilities works schedule in this Plan reflects the anticipated scale and location of this expected development.

Residential development will generate demands for facilities that either serve a Shire-wide population catchment, or a district population catchment.

Residential development authorised to be levied under this Plan will be required to contribute towards the cost of nominated Shire facilities and those nominated facilities situated in the planning district in which the proposed development is located.

4.2.4 How are the contributions calculated?

Contributions will be collected from all residential development toward open space and recreation facilities identified under this Plan.

The monetary contribution per person is calculated as follows:

$$\text{Contribution per person (\$)} = \sum \left(\frac{\$S}{P} \right) + \sum \left(\frac{\$L}{P} \right)$$

Where:

$\$S$ = the estimated \$ cost - or if the facility has already been provided, the indexed, completed \$ cost - of providing each of the SHIRE-WIDE open space and recreation facilities (refer Section 5 – works schedule)

$\$L$ = the estimated \$ cost - or if the facility has already been provided, the indexed, completed \$ cost - of providing each of the relevant LOCAL or

planning district open space and recreation facilities (refer Section 5 – works schedule)

P = the contribution catchment (in persons) attributable to each facility (refer Table 3.1)

The monetary contribution for different residential development types is determined by multiplying the contribution per person by the assumed average household occupancy rates adopted by this Plan (in Section 3.3.4) and repeated in Table 4.1.

Table 4.1 Household occupancy rates for residential development types

Residential development type	Assumed average household occupancy rate
Subdivided lots	2.4 persons per lot
Separate houses	2.4 persons per dwelling
Multi-unit dwellings and dual occupancy dwellings	1.7 persons per dwelling
Seniors-living dwellings	1.5 persons per dwelling

4.3 Community and cultural facilities

This section:

- identifies the projected community and cultural facility needs of the resident population in development addressed by this Plan; and
- describes the method of calculating a reasonable contribution from development toward the provision of community and cultural facilities demanded by that development.

4.3.1 Existing provision

There are a number of cultural and community facilities in the Eurobodalla LGA that provide a range of services to the residents of each district. These facilities include:

- community halls
- community centres
- child care
- exhibition halls
- libraries

The *Eurobodalla Shire Social Plan 2005-2009* states the following in relation to the provision of community and cultural facilities in Eurobodalla LGA:

- Council's existing halls are largely inadequate as venues for most arts disciplines.
- Each of the three major towns has differing needs for local facilities to cater for arts and cultural activities.
- The Shire has no cultural facilities that can cater for quality travelling and local exhibitions and that can house a regional art collection. Nor does it have a performing arts centre that can accommodate a wide range of performing arts and an audience large enough to make presentations financially viable.

- There is no interpretation facility that provides information on the ecology of the region.
- Council owns and operates three libraries, two community centres and two youth facilities demanded by that development. The majority of these buildings were all constructed within the last seven years.
- Community expectations and population distribution puts pressure on Council to replicate infrastructure and services in the three major towns and to maintain existing structures such as halls in villages.

4.3.2 Summary of local infrastructure demand and how that demand will be met

Residential development expected throughout the Eurobodalla Shire is likely to be the major driver of the population increasing from about 36,500 in 2006 to around 50,800 in 2031.

The population increase is expected to be made up of substantial numbers of elderly singles and couples and couples with children. It is anticipated that these groups would demand an increase in the delivery of Council-provided cultural and community services and facilities.

The *Eurobodalla Shire Social Plan 2005-2009* outlines that the increase in population of older residents and the already aging population will likely increase the pressure on council to deliver additional community services. Additionally, community expectations and the population distribution puts pressure on Council to replicate services in the three major centres as well as maintain existing structures in smaller villages.

New development therefore will generate additional demand for cultural and community facilities.

Council's objectives for the provision of cultural and community facilities required as a consequence of expected residential development are as follows:

- To provide new facilities where existing facilities are unlikely to satisfy new demand.
- To focus human services infrastructure in the three major centres of Batemans Bay, Moruya and Narooma so they can most effectively service the surrounding urban and rural population.
- Develop accessible facilities that cater for identified needs across a wide range of disciplines, enhance community wellbeing and attract new residents and visitors.
- Where possible, to design and retrofit existing public facilities to meet disabled access standards.
- To embellish existing facilities where increased demand will justify improved, but not new facilities.
- To continue committed projects of benefit to new residents.

One new facility and several upgrades are proposed for the life of this plan and Council will seek a reasonable contribution from expected development towards the estimated cost of those facilities.

The new / augmented facilities include libraries, child care services, community centres, and meeting halls serving local (i.e. planning district) catchments.

A summary of proposed facilities to meet existing and future infrastructure demands is shown below:

Northern District

- Additional child care and library facilities in Batemans Bay

Central District

- Extensions / upgrades to Moruya community, library and meeting room facilities

Southern District

- New out of school hours care facility at Narooma
- Upgrades to Narooma library and Bodalla hall

4.3.3 What is the nexus between the expected types of development and the demand for local infrastructure?

As discussed in Section 3.3 of this Plan, residential development is expected to occur in various locations and to different extents within the localities identified in the ESS.

The community and cultural facilities works schedule in this Plan contains upgrades to various facilities in all the districts. This work is required to provide for the substantial number of increased residents expected within the Shire during the life of this plan.

Residential development authorised to be levied a contribution under this Plan will be required to contribute toward the cost of those nominated facilities situated in the planning district in which the proposed development is located.

4.3.4 How are the contributions calculated?

Contributions will be collected from all residential development toward civic and community facilities identified under this Plan.

The monetary contribution per person is calculated as follows:

$$\text{Contribution per person (\$)} = \sum \left(\frac{\$L}{P} \right)$$

Where:

$\$L$ = the estimated \$ cost - or if the facility has already been provided, the indexed, completed \$ cost - of providing each of the relevant LOCAL or planning district community and cultural facilities (refer Section 5 – works schedule)

P = the contribution catchment (in persons) attributable to each facility (refer Table 3.1)

The monetary contribution for different residential development types is determined by multiplying the contribution per person by the assumed average household occupancy rates adopted by this Plan (in Section 3.3.4) and repeated in Table 4.2.

Table 4.2 Household occupancy rates for residential development types

Residential development type	Assumed average household occupancy rate
Subdivided lots	2.4 persons per lot
Separate houses	2.4 persons per dwelling
Multi-unit dwellings and dual occupancy dwellings	1.7 persons per dwelling
Seniors-living dwellings	1.5 persons per dwelling

4.4 Paths and cycleway facilities

This section:

- identifies the projected paths and cycleway facility needs of the resident population in development addressed by this Plan; and
- describes the method of calculating a reasonable contribution from development toward the provision of paths and cycleway facilities demanded by that development.

4.4.1 Existing provision

Shared bicycle/pedestrian paths have been provided in the three main centres of Batemans Bay, Moruya and Narooma. Some have also been provided in smaller towns. In total there is a network of 54.8 km of footpaths and 26.5 km of shared paths in the Eurobodalla LGA.

Walking and cycling provides an alternative transport option. This is desirable in residential areas, such as those located close to commercial centres, schools, recreational facilities, beaches and other major attractants.

For a significant number of the Shire's residents, walking and cycling are also popular methods of regular, low impact exercise as well as a way to get 'out and about' to interact within the community. This is particularly important for the projected ageing population in the Shire.

Cycling facilities can be provided either as an off-road activity, normally a shared pathway, or an on-road facility. On low traffic volume roads (e.g. local urban street), on-road cycling is typically shared with motor vehicles. For higher traffic volume roads, on-road cycling is usually provided by a wide sealed shoulder or shared parking and cycling lane.

Council seeks to facilitate the sustainable development of new and existing urban areas. One of the strategies to achieve this is to encourage less reliance on the use of motor vehicles by creating infrastructure to support public transport and non-motorised transport.

Use of alternative transport options would:

- decrease reliance on motor vehicles;

- reduce demand for parking facilities and delay future road upgrades;
- reduce greenhouse gas emissions;
- provide significant health benefits; and
- provide a cheap and accessible alternative means of transport.

A network of pathways integrated and linked to public transport networks (where available) has the potential to increase utilisation and decrease the reliance on motor vehicles. The more viable public transport services become, the greater opportunity to further extend these services.

4.4.2 Summary of local infrastructure demand and how that demand will be met

Residential development expected throughout the Eurobodalla Shire is likely to be the major driver of the population increasing from about 36,500 in 2006 to around 50,800 in 2031.

The population increase is expected to be made up of substantial numbers of elderly singles and couples; and couples with children. These groups of residents would use footpaths and cycleways for leisure and commuting, and should be encouraged to do so.

The *Eurobodalla Bike Plan* (adopted July 1999) identifies additional path and cycleway facilities to be constructed to meet sustainable development and healthy living goals.

Additionally, the *Draft Eurobodalla Pathway Strategy* (adopted in August 1999) identifies and proposes augmentation to the footpath network in urban areas. This is to promote connectivity to services and facilities.

Council's objectives for the provision of paths and cycleways are as follows:

- To provide shared bicycle/pedestrian pathways for existing and new residents in accordance with the objectives and priorities of the *Eurobodalla Bike Plan* and *Draft Eurobodalla Pathway Strategy*.
- To provide footpaths to enable pedestrians to safely access facilities and services in urban areas.
- To facilitate the use of alternative modes of transport in the interests of health, safety and the natural environment.

New facilities have been identified and prioritised in the *Draft Eurobodalla Pathway Strategy* and have been transposed into the works schedule contained in Section 5.

Council will seek a reasonable contribution from expected development towards the estimated cost of those facilities.

4.4.3 What is the nexus between the expected types of development and the demand for local infrastructure?

As discussed in Section 3.3 of this Plan, residential development is expected to occur in various locations in Eurobodalla.

Existing paths and cycleways will be used primarily by existing and new residents. Any new facilities would be used by both groups.

The paths and cycleways works schedule in this Plan proposes new facilities in all the planning districts. The works will be located in both existing and new areas, facilitating pedestrian and cycle travel by existing residents and the new residents of expected developments.

Residential development authorised to be levied a contribution under this Plan will be required to contribute toward the nominated facilities located within the planning district that the proposed development is located within.

4.4.4 How are the contributions calculated?

Contributions will be collected from all residential development toward paths and cycleway facilities identified under this Plan.

The monetary contribution per person is calculated as follows:

$$\text{Contribution per person (\$)} = \sum \left(\frac{\$L}{P} \right)$$

Where:

$\$L$ = the estimated \$ cost - or if the facility has already been provided, the indexed, completed \$ cost - of providing each of the relevant LOCAL or planning district path and cycleway facilities (refer Section 5 – works schedule)

P = the contribution catchment (in persons) attributable to each facility (refer Table 3.1)

The monetary contribution for different residential development types is determined by multiplying the contribution per person by the assumed average household occupancy rates adopted by this Plan (in Section 3.3.4) and repeated in Table 4.3.

Table 4.3 Household occupancy rates for residential development types

Residential development type	Assumed average household occupancy rate
Subdivided lots	2.4 persons per lot
Separate houses	2.4 persons per dwelling
Multi-unit dwellings and dual occupancy dwellings	1.7 persons per dwelling
Seniors-living dwellings	1.5 persons per dwelling

4.5 Roads

This section:

- identifies the projected roads needs of the resident population in development addressed by this Plan; and
- describes the method of calculating a reasonable contribution from development toward the provision of roads demanded by that development.

4.5.1 Existing provision

The ESS describes the Eurobodalla LGA road hierarchy as follows:

- Highway and arterial roads – the Princes Highway is located inland and parallel to the coast. Its main function is to provide motor vehicle connections within Eurobodalla Shire, and to cities and other states. The Kings Highway connects the Shire with the ACT. An arterial road system travels parallel to the coastline in the Northern District.
- Town main streets - Batemans Bay, Moruya and Narooma are all situated on waterways and have bridges on entry from the North. The highway travels through each town and – in Moruya and Narooma – forms the town's main street.
- Village settlement entry roads - each village has an entry road that connects the settlement to the highway.
- Hamlet settlement entry roads - these roads are generally one way in and one way out, making hamlets remote and destination-specific. In some cases, alternative routes exist as unsealed roads to cater for emergency access and during entry road closures.
- Other settlement main streets
- Collector roads and distributor roads
- Local and subdivision roads

4.5.2 Summary of local infrastructure demand and how that demand will be met

Residential development throughout the Eurobodalla Shire is expected to increase the population in excess of 14,000 residents by 2031.

The Eurobodalla road network provides all residents with access across the Shire. An increase in the number of residents will directly increase the demand on the road network. Consequently, Council will need to find additional funds to meet the extra demands placed on the Shire's road network in order to ensure the network continues to function satisfactorily.

Future development of the area can be sustained only by a significant investment in the provision, extension and augmentation of the road infrastructure. Council considers it appropriate that development make a reasonable contribution toward the cost of this infrastructure.

The projects included in the works schedule to be implemented over the life of this plan have been selected on the results of traffic studies including:

- South Batemans Bay Traffic Management Strategy Options 1996
- Batemans Bay Traffic Management Strategy 2001
- Batemans Bay Town Centre Road Network Study 2003
- Transport Asset Management Plan
- Northern Area Shire Traffic Study 2011

Future works are listed in the works schedule. These works include further upgrades and improvements to sections of George Bass Drive, various improvement works to Glenella Road and pavement strengthening works along Tomakin Road and Dunn's Creek Road.

Council has also provided works in advance of development occurring. The works have included Tomakin Road realignment, upgrades and link roads to sections of George Bass Drive, and Dunn's Creek Road. The works were required to provide a more 'complete' and safer road network. Works have included traffic management facilities, intersection improvements as well as new sealed roads.

Responsibility for the provision and maintenance of the highway / arterial (or first order) roads is shared between Council and the State Government. This plan however does not include highway infrastructure as it is assumed that other levels of government will meet the cost of necessary upgrades.

4.5.3 What is the nexus between the expected types of development and the demand for local infrastructure?

As discussed in Section 3.3 of this Plan, residential development is expected to occur in various locations in Eurobodalla. The roads that Council is responsible for (excluding highways) are used primarily by residents of the Shire.

The roads works schedule in this Plan proposes new and augmented facilities across the Shire. This work is required to provide a complete and safe road system for all road users within the Shire for the life of this Plan. The works are therefore classified by this plan as having a Shire-wide nexus.

All existing and new residential development within the Shire will directly benefit from the completed road network through reduced congestion, reduced travel times and improved access to work, community and recreational facilities. Existing and proposed residential development will therefore be accountable for the cost of the infrastructure.

One of Council's key infrastructure planning principles is that infrastructure is designed to satisfy the needs of the resident and visitor population of the Shire for 85 per cent of the time. The facilities are designed to meet the 85th percentile needs. It is assumed that 85th to 100th percentile needs relate primarily to the Shire's tourist development and are incurred at peak holiday times. As a result, tourist development is not accounted for in, and not levied contributions for, road infrastructure identified in this plan. Instead, tourist development will be subject to fixed rate levy contributions towards other road projects identified in a separate (S94A Levy) Contributions Plan.

4.5.4 How are the contributions calculated?

Contributions will be collected from all residential development toward roads facilities identified under this Plan.

The monetary contribution per person is calculated as follows:

$$\text{Contribution per person (\$)} = \sum \left(\frac{\$S}{P} \right)$$

Where:

$\$S$ = the estimated \$ cost - or if the facility has already been provided, the indexed, completed \$ cost - of providing each of the relevant SHIRE-WIDE roads facilities (refer Section 5 – works schedule)

P = the contribution catchment (in persons) attributable to each facility (refer Table 3.1)

The monetary contribution for different residential development types is determined by multiplying the contribution per person by the assumed average household occupancy rates adopted by this Plan (in Section 3.3.4) and repeated in Table 4.4.

Table 4.4 Household occupancy rates for residential development types

Residential development type	Assumed average household occupancy rate
Subdivided lots	2.4 persons per lot
Separate houses	2.4 persons per dwelling
Multi-unit dwellings and dual occupancy dwellings	1.7 persons per dwelling
Seniors-living dwellings	1.5 persons per dwelling

4.6 Plan preparation and administration

This section identifies the activities associated with the preparation and administration of this Plan; describes the anticipated costs of those activities; and describes the method of calculating a reasonable contribution from development toward the provision of contributions plan preparation and administration services.

4.6.1 What is the nexus between the expected types of development and the demand for local infrastructure?

Preparation and administration of contributions plans by councils incur significant costs.

Council staff are required to:

- prepare and review contributions plans;
- account for contributions receipts and expenditure; and
- coordinate the implementation of contributions plans and works, including involvement in negotiating works-in-kind and material public benefit agreements.

Consultant studies are also commissioned by Council from time to time that directly result in review, update or preparation of contributions plans. Tasks undertaken by independent professionals include determining the value of land to be acquired, the design and cost of works, as well as the review of development and demand assumptions of the contributions plan. Council is also required to engage the services of legal professionals from time to time to assist it in the administration of this Plan.

It is reasonable that the costs associated with preparing and administering this Plan be recouped from contributions from development.

Costs associated with the ongoing administration and management of the contributions plan will be levied on all applications which require a development contribution.

Costs included in this Plan for these purposes are determined as follows:

- The estimate of administration costs is equivalent to the current annual salary and on-costs (at the time the Plan is adopted) for a development contributions administration officer working 2 days per week, converting to an annual figure and extending this annual figure over the life of the Plan.
- Costs of consultant assistance used to prepare this Plan.

4.6.2 How are the contributions calculated?

Contributions will be collected from all residential development toward Plan preparation and administration activities.

The monetary contribution per person is calculated as follows:

$$\text{Contribution per person (\$)} = \frac{\$C}{P}$$

Where:

$\$C$ = the sum of the estimated cost of staff time and the cost incurred by consultants in preparing the Plan (refer Section 5 – works schedule)

P = the total projected additional resident population addressed by this Plan (i.e. the contribution catchment – refer to Table 3.1)

The monetary contribution for different residential development types is determined by multiplying the contribution per person by the assumed average household occupancy rates adopted by this Plan (in Section 3.3.4) and repeated in Table 4.5).

Table 4.5 Household occupancy rates for residential development types

Residential development type	Average household occupancy rate
Subdivided lots	2.4 persons per lot
Separate houses	2.4 persons per dwelling
Multi-unit dwellings and dual occupancy dwellings	1.7 persons per dwelling
Seniors-living dwellings	1.5 persons per dwelling