

## ANNEXURE 1

### CONTRIBUTIONS PLAN 1-1996 – LINK ROAD FOOTPATH

#### SUMMARY ONLY

The above plan was adopted by Council at its meeting of 12 July 1993 and is effective from 21 July 1993

The purpose of this Plan is to provide a concrete footpath connection, with lighting, along Link Road and Scholes Street between Part Lot 10 DP 806537 and the intersection of Scholes and Harden Streets, to serve residential development in the area identified on the Diagram accompanying this document

The format of the Contributions Plan consists of a written document and a Strategy Plan

Further details are available from Council's Development Control Unit, Civic Administration Centre, Rusden Street, Armidale during normal business hours. A copy of the plan is available for a fee.

# CITY OF ARMIDALE

## CONTRIBUTIONS PLAN 1/1996: LINK ROAD PEDESTRIAN/CYCLEWAY

s 94AB Environmental Planning & Assessment Act 1979

### PART 1 - INTRODUCTORY

#### 1 Name of this Plan

This Plan is called "Contributions Plan 1/1996": Link Road Pedestrian/Cycleway". It was made pursuant to Section 94AB of the Environmental Planning and Assessment Act 1979.

#### 2 Land to which the Plan Applies

The land subject of the contribution comprises that land outlined in heavy black on the accompanying Diagram No 813-39 entitled Contributions Plan 1/1996: Link Road Pedestrian/Cycleway.

#### 3 Adoption of Plan

This Plan was adopted by Council on 24 June 1996 in accordance with cl.30 of the Environmental Planning and Assessment Regulation 1994. The Plan replaces Contributions Plan 3/1993, which became effective from 21 July 1993.

#### 4 Relationship to other plans and codes

This Contributions Plan has been prepared pursuant to the provisions of Section 94 of the EP&A Act and Part 4 of the EP&A Regulations. It supplements the provisions of the Armidale Local Environmental Plan, 1988, and the Armidale Contributions Plan, and should be read in conjunction with those Plans and other applicable Council planning policies and documents.

#### 5 Purpose of the Plan

The purpose of this Plan is to provide a 2 metre wide pedestrian/cycleway connection along Link Road and Scholes Street between Part Lot 21 DP829599 and the intersection of Scholes and Harden Streets, to serve residential development in the area identified on the Diagram (Drawing No.813-39a) accompanying this document.

## PART 2 - S. 94 CONTRIBUTIONS

### 6 Administration

The administration of s.94 contributions in the City of Armidale is the subject of detailed explanation in the "Armidale Contributions Plan", a copy of which is available from Council. Specifically, that Plan contains provisions in respect of the timing and method of payment of contributions, deferred payment options, and waivers, credits and refunds of contributions. Those provisions also apply to and should be read in conjunction with this Plan, with the following amendment to Part 9 - Deferred or Periodic Payment:

Council may agree to the settlement of Section 94 contribution being deferred subject to:

(a) A written request being made by the applicant or other person entitled to act on the consent which -

- satisfies the Council that there are valid reasons for deferral or periodic payment; and
- proposes arrangements satisfactory to Council for the settlement of the contribution.

(b) Lodgement of a security for the deferred or any outstanding contributions to be in the form of an unrestricted Bankers Guarantee. The amount of the guarantee is to be equivalent to the value of the outstanding contribution at the time of release of relevant documentation plus a *10% loading for each year or part thereof for which the contribution is secured*;

(c) The security is to be supported by a signed agreement authorising Council to act on the security after *a nominated period not exceeding 5 years* if the contribution is not settled prior to this time. Council reserves the right to terminate such an agreement at any time and upon written notice to the applicant, the applicant will be required to make the contribution;

(d) Payment of the contribution in full within *the period nominated in (c) above* from the date of lodgement of the security;

(e) In addition to the above, the amount of any deferred payment will be calculated in accordance with the relevant contribution rate applicable at the time of contribution.

## 7 Justification

### (a) Causal nexus

The development of Part Lot 21 DP 829599 and nearby land will generate the demand for a easily-maintainable, all-weather pedestrian access along the northern side of Link Road and the western side of Scholes Street, between Part Lot 21 DP 829599 and the intersection of Harden and Scholes Streets, in order to provide reasonable access for future residents to the City's facilities and commercial centre. The path will also be suitable for use by cyclists.

### (b) Spatial nexus

Contributions received will be used to provide a pedestrian connection in a location of direct benefit to contributing sites.

### (c) Temporal nexus

A pedestrian/cycleway link will be provided as development takes place, or during the early stages of development.

## 8 Calculation of Contribution

The contribution rate is calculated on the following basis:

$$\text{Contribution (per additional lot)} = C / Y$$

where:

C = Cost for construction of pedestrian/cycleway.

Y = Expected 'beneficiary' lot yield (see attached diagram).

**(see cl.11 below for actual contribution rate)**

## 9 Settlement of Contribution

Two options are available for settlement of contributions.

- (i) Payment of monetary contribution - Council to carry out works using funds received; or
- (ii) Developer carries out works ("works in kind") in lieu of all or part of \$ contribution.

Council is concerned that the pedestrian/cycleway should be provided in full as soon as any subdivision of Part Lot 21 DP 829599 occurs, even if subdivision of that land proceeds in "staged releases". Council may be prepared to defer payment of other contributions applicable to development of these portions under the Armidale Contributions Plan or the Water and Sewer Headworks Policy, in order that footpath provision can be accelerated.

## 10 Works Schedule

Pursuant to cl.26 of the Environmental Planning and Assessment Regulation 1994, Council is required to indicate the likely cost, staging and timing of the public amenities and services required under this Contributions Plan. Exact timing will be dependant upon developer activity and accumulation of funds, but since the key development site (Lot 21 DP 829599) shown on the Strategy Plan is subject to a maximum seven year "sunset" clause under Armidale Local Environmental Plan 1988 (as amended), the majority of the work is expected to have been carried out within that period (ie by 1999).

The work identified in this Plan and the 1996 cost thereof is as follows:

Pedestrian/cycleway preparation and construction = \$ 71,079

Estimates for the work are attached.

## 11 Contribution Rates Schedule

### NOTES

These contribution rates will apply until 31 December 1996. Thereafter contributions will be reviewed annually and indexed in accordance with the "ABS Implicit Price Deflator" (IPD), and this schedule updated accordingly. The use of the IPD is explained in the Armidale Contributions Plan.

Contributions listed are payable on the creation of additional residential lots in the area identified on the attached Diagram.

Proposals for medium density housing developments and small lot subdivision (230-400 square metre lots) will also be liable for contributions, but these proposals will be assessed at 0.7 of the standard contribution per unit or small lot.

Based on the formula in cl.8, the contribution for footpath is:

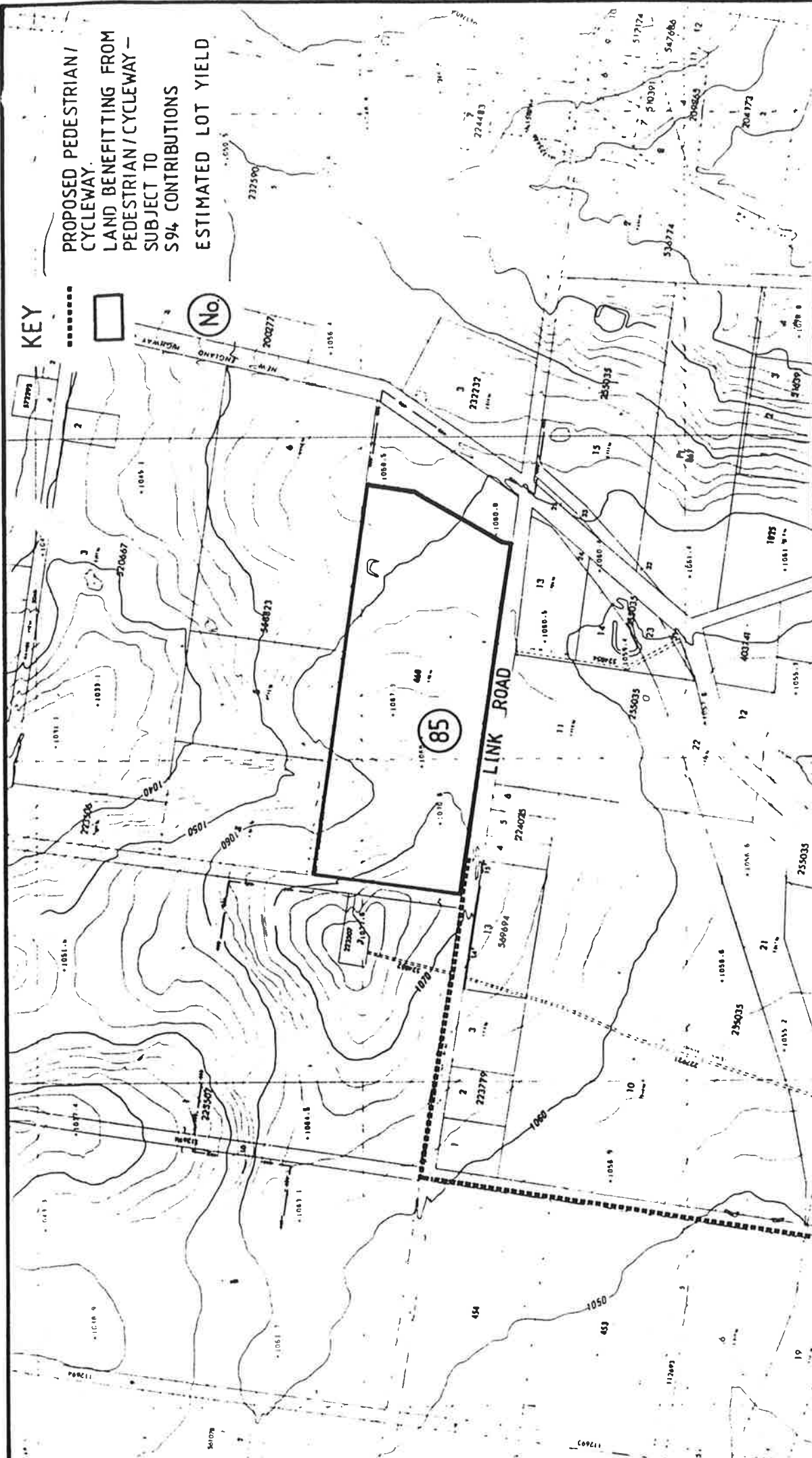
$$71,079/85 = \$836/\text{lot}$$

Contribution = \$836 per additional lot  
= \$585 per unit/sml. lot

(all existing lots will enjoy a "credit" of \$836 for calculation purposes)

12 COST ESTIMATE (1996)

		AMOUNT	UNIT	RATE	COST
<b>GENERAL</b>					
Establishment		1	item	250	\$250
Traffic Control		1	item	100	\$100
<b>DRAINAGE</b>					
inlet pit		1	item	1000	\$1,000
<b>PAVEMENT</b>					
Excavation	1310mx2.3mx0.15m	451.95	m <sup>3</sup>	3.8	\$1,717
Compact Sub-grade	1310mx2.3m	3013	m <sup>2</sup>	3	\$9,039
Base Course	1310mx2.3mx0.15m	451.95	m <sup>3</sup>	60	\$27,117
25mm thick AC7	1310mx2mx2.4/m <sup>3</sup> x0.025m	157.2	tonne	131.7	\$20,703
<b>REINSTATEMENT WORKS</b>					
topsoil and grass seed	1310mx2.3mx0.15m	451.95	m <sup>3</sup>	4.2	\$1,898
Sediment Control		1	item	500	\$500
<b>FURNITURE/ASSOC . WORKS</b>					
Holding Rails		6	item	128	\$768
road traffic signs		12	item	120	\$1,440
bike shapes		6	item	12	\$72
reflective markers		2	item	6	\$12
<b>CONTINGENCIES</b>					
10%					\$6,462
<b>TOTAL</b>					<b>\$71,079</b>



**CONTRIBUTION PLAN No.1/1996**  
**LINK ROAD PEDESTRIAN/CYCLEWAY**

SCALE	1: 8000	DRG. No.	813-39
PLANNER	S. GOW	DRAWN	J.R.B.
		DATE	AS AMENDED OCTOBER 1995

**KEY**

- .....
- 
- No

PROPOSED PEDESTRIAN / CYCLEWAY.  
 LAND BENEFITTING FROM PEDESTRIAN / CYCLEWAY — SUBJECT TO S94 CONTRIBUTIONS  
 ESTIMATED LOT YIELD