



Policy Name:	LPP11 Cash-in Lieu Car Parking Requirements
File No:	LPP11 PD.DV.1
Policy Purpose:	Local Planning Policies are guidelines used to assist the Shire in making decisions under the Scheme. The Scheme prevails should there be any conflict between this Policy and the Scheme.
Principles / Framework:	Shire of Ashburton 10 Year Community Plan 2012-2022 Goal 04 – Distinctive and Well Served Places Objective 03 – Well Planned Towns
Application:	Town Planning Scheme No.7
Statutory Environment:	Shire of Ashburton Town Planning Scheme No. 7 Planning & Development Act 2005
Minute Number:	13.07.33
Approval Date:	Adopted at the Ordinary Meeting of Council held on 18 September 2013

1.0 SCOPE:

A Local Planning Policy is not part of the Scheme and does not bind the Shire in respect of any application for planning approval but the Shire is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

2.0 OBJECTIVES:

To provide a consistent approach to assessing car parking within the Shire of Ashburton and to provide technical requirements for the construction of parking.

3.0 POLICY:

3.1 Policy Statement

As part of the assessment of development applications, an applicant may be required to provide parking or upgrade existing parking. This Policy has been developed to outline the specific requirements for a Developer in the provision of car parking.

The provision of cash-in-lieu of parking only applies to the Town Centre zones of Council's Town Planning Schemes for the townsite of Onslow, Tom Price and Paraborndoo. Cash-in-lieu of parking will not be accepted within the General and Light Industrial Zones, in accordance with the Scheme requirements.



This Policy does not outline the number of bays required for different land uses, as car parking numbers are determined under the Town Planning Scheme relevant to the location of the development. The policy aims to provide an outline of the minimum standard of construction for car parking and also provide advice on where Council may consider cash-in-lieu of parking and how to calculate cash-in-lieu of parking.

Cash-in-lieu contributions shall generally only be permitted for up to 25% of the overall on-site parking requirements for a development.

3.2 Construction Requirements

The construction standards for parking will be defined by the Shire and provide requirements for pavement types, parking layouts, drainage requirements and construction methods for car parking within the Shire.

3.3 Cash-in-lieu of parking

The Shire of Ashburton Local Planning Scheme No. 7 ('Scheme') provides the statutory opportunity for cash-in-lieu car parking as follows:

"6.17.3 As an alternative to subclause 6.17.1, and subject to Local Government approval, a cash-in-lieu payment, to the equivalent cost of providing the required car parking plus the value of the area of land which would have been occupied by the spaces, shall be paid to the Local Government. This payment is to contribute to a fund set aside by Local Government for the purposes of providing public car parking areas.

6.17.4 Where the amount of cash-in-lieu payable under clause 6.17.3 cannot be agreed it shall be determined by arbitration in accordance with the Commercial Arbitration Act 1985 or some other method agreed upon by Local Government and the developer".

The notation associated with Clause 6.17.3 of the Scheme states:

"Note: Calculations of the equivalent cost of providing the required car bays shall include all requirements of clause 6.17 including sealing, kerbing, marking and drainage of car bays and associated accessways and areas for turning".

The concept of cash-in-lieu contributions is based on the Town Planning philosophy that where developments have a shortfall of car parking, it is reasonable for Council to assist by accepting money for this shortfall, to provide car bays in adjacent or nearby existing or proposed public car parks.

The Shire recognizes that particularly in the older commercial areas of Onslow, properties may be restricted in size or because of their location may have limited scope for extension. In this context, full parking requirements on-site may not be available.

This Policy should not be seen to be replacing the developer responsibility to provide on-site parking but rather as a means for Council to accommodate the parking demand created in a particular locality by the developer's shortfall.

The acceptance of a cash-in-lieu payment is purely discretionary and shall be determined by Council. Where it may decide to require full provision of car parking in accordance with the Scheme.



Within the Town Planning Schemes, the specific wording for the consideration of cash-in-lieu varies slightly, however, each Scheme requires the land value and construction costs to be determined, in order to arrive at the cash-in-lieu amount.

3.4 Land Value Component

A land value component, assessed at the time of development, will be charged. The value of the land is to be determined by the Valuer General. The cost will relate to the unit area (m²) cost of the land for the owner to provide the parking on the property.

3.5 Construction Component

A construction component cost, assessed at the time of development, will be charged. The construction costs are to include earthworks, sealing, kerbing, drainage, line marking, signage and landscaping of the car parking area as if it was to be constructed on the subject site.

3.6 Calculations

The amount of land subject to the assessment for the 'land value' and 'construction' component is determined as the area of one typical car bay and access thereto (this is usually 21.25 m² minimum).

In negotiating a cash-in-lieu of car parking, the Shire may accept a proportion of the payment being provided in the form of streetscape works (up to an agreed value), with the balance of the contribution being paid in cash.


The type of streetscape works must be in accordance with a Townscape plan endorsed by Council, or in the absence of a townscape plan, the developer must submit a streetscape plan to be approved by Council.


4.0 REFERENCE:

The Shire of Ashburton Town Planning Scheme No. 7 and the Planning & Development Act 2005.

5.0 RESPONSIBILITIES:

Register and further authority is delegated to the Chief Executive Officer.


(Signature)
Signed


(Print Name)
Shire President

Monitor and Review: Principal Town Planner

Last Review Date: Ordinary Meeting of Council held on 18 September 2013

Next Review Date: September 2017

This policy is to remain in force until otherwise determined by the Council or superseded.