



# Cash-in-lieu Parking Policy

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<b>Responsible Officer:</b>	Manager Development Services
<b>Strategic Plan Reference:</b>	3.4 Best practice land use planning systems are in place to manage the current and future impacts

### 1. POLICY STATEMENTS

- 1.1 This policy provides for the Council's powers and obligations under the Planning Scheme in respect of the requirements for cash-in-lieu contributions when on-site car parking is not provided in a proposed development.

### 2. DEFINITIONS

- 2.1 "**Construction cost**" means the earthworks, structures, access, drainage, pavement, kerbing, marking out, signage and landscaping works.
- 2.2 "**Planning scheme**" or the "**scheme**" means the Kingborough Interim Planning Scheme 2015 – or subsequent replacement.
- 2.3 "**The Act**" means the Land Use Planning and Approvals Act 1993 – or subsequent replacement.

### 3. OBJECTIVE

- 3.1 The objectives of this policy are that:
- 3.1.1 the parking facilities in Kingborough are consolidated specifically where long term strategies for specific precincts encourage public and active transport, or where consolidation of parking facilities will result in improved urban outcomes;
  - 3.1.2 there is a complementary policy to support the cash-in-lieu of parking provisions within the planning scheme;
  - 3.1.3 there will be an appropriate number of car parking spaces made available;
  - 3.1.4 the efficient use of parking spaces is promoted through the consolidation of car parking facilities;
  - 3.1.5 the method of calculating the value of cash-in-lieu contributions is clear, reasonable and fair; and
  - 3.1.6 a set of guidelines is provided for the use of funds held in trust for the provision or improvement of car parking and/or transport infrastructure for public transport, walking or cycling in Kingborough.

### 4. SCOPE

- 4.1 The scope to guide the implementation of this Policy are:
- 4.1.1 the Policy will be applied in a manner that is consistent with and supports the assessment of development applications in accordance with the planning scheme that applies to the Kingborough municipality;
  - 4.1.2 accordingly, the Policy does not replace a developer's obligation to provide on-site parking, as required under the planning scheme;
  - 4.1.3 the Policy adopts 30m<sup>2</sup> as the requirement for a parking space on a development site (which includes the proportionate areas for access and manoeuvring) and this will form the basis for the calculation of land value;
  - 4.1.4 public parking spaces constructed with the revenue from cash-in-lieu contributions do provide an added public benefit and, to acknowledge this, the total cash contribution (land and construction costs) will be reduced by a factor of 15%;
  - 4.1.5 any car parking spaces provided as a result of cash-in-lieu contributions shall remain available to the public and administered by Council.

- 4.1.6 this policy may be supported by complementary Parking Plans , precinct Plans or other strategic planning or project plans for specific areas and which would describe in greater detail how revenue from cash-in-lieu contributions would be spent.

### 5. PROCEDURE (POLICY DETAIL)

#### 5.1 General

- 5.1.1 Council will require changes of use or development proposals to provide the car parking required for that development as prescribed in the planning scheme, unless a cash-in-lieu of car parking contribution is approved under this Policy.

- 5.1.2 This Policy applies to every application for use or development under the Land Use Planning and Approvals Act 1993 that relies upon or has implications for providing and managing public off street car parking within the Kingborough municipal area in accordance with the planning scheme.

#### 5.2 Determining the number of parking spaces required

- 5.2.1 The planning scheme includes the criteria by which the number of parking spaces that need to be provided is determined.

- 5.2.2 If the developer is unable to meet the on-site parking requirements of the planning scheme or it is inappropriate to do so, then it may be a permit condition to pay a cash-in-lieu of car parking contribution.

- 5.2.3 In reducing the amount of required on-site parking to be provided, Council will take a cash-in-lieu contribution instead. The amount is to be determined based on the cost of the land, plus the cost of constructing the parking area or facility.

- 5.2.4 Council is not obliged to accept a cash-in-lieu contribution if it is practicable and desirable to provide the required number of car parking spaces on the land.

- 5.2.5 The Policy is to be implemented under delegation as and where appropriate for all applications for use or development where required car parking is not met on site.

#### 5.3 Calculating the value of a cash-in-lieu of parking contribution

- 5.3.1 The amount of cash-in-lieu is to be determined based on the cost of the land, plus the construction costs for any necessary car parking.

- 5.3.2 The construction costs per square metre will be established by determining the average capital costs associated with the provision of car parking spaces in Council constructed car parks. This is assumed to be 30m<sup>2</sup> per parking space and includes the proportionate area required for access and manoeuvring.

- 5.3.3 The amount of a cash-in-lieu of car parking contribution is:

- i. the cost to construct the equivalent car parking area; and
- ii. where it is necessary to purchase land (or where Council land is to be used) an additional amount is required to be paid that is calculated as follows – 30m<sup>2</sup> X land value/m<sup>2</sup> X number of car parking spaces.

- 5.3.4 The land value/m<sup>2</sup> is to be determined from a valuation by a Land Valuer within the meaning of the Land Valuers Act 2001 at the developer's expense at the date of approval of the planning permit or at the discretion of the General Manager derived from any recent land valuation for nearby land plus a 10% contingency.

- 5.3.5 The total of the construction cost and the land value is then reduced by a public benefit factor of 15%. This acknowledges the likelihood of public parking being shared across different sites

and at different times, plus improvements to public parking and transport infrastructure should be partly funded by the broader community.

5.3.6 The means of payment shall be as follows:

- i. Payment is to be made prior to the issue of a Building Permit or, where no Building Permit is required, prior to the commencement of use.
- ii. The General Manager may accept terms for the staged payment on a quarterly basis over a maximum period of two years from the issue of a Building Permit or, where no Building Permit is required, from the commencement of use. This is subject to the terms being stipulated in a Deed between the developer, the land owner and the Council, or a Part 5 Agreement, pursuant to section 71 of the Land Use Planning and Approvals Act 1993 registered on the relevant land title prior to the issue of a Building Permit or, where no Building Permit is required, prior to the commencement of use. The cash-in-lieu of car parking contribution payment is to be a debt due to the Council recoverable in a court of competent jurisdiction.

5.4 Utilising cash-in-lieu contributions

5.4.1 All monies received through the application of this Policy are to be applied to a cash-in-lieu of car parking contribution fund. This will include details that describe any commitments that relate to the future expenditure of the funds that are being held in trust by Council.

5.4.2 The following guidelines apply to the expenditure of cash-in-lieu funds:

- i. expenditure must be in accordance with any Council adopted Parking plan, Precinct Plan or other strategic planning or project plan that applies to a particular locality.
- ii. in the absence of such an adopted Parking Plan, Precinct Plans or other strategic planning or project plan, then any contribution received by Council may be spent in any manner that would contribute to the provision of new parking spaces or facilities that would encourage the use of public transport or active travel options.

5.4.3 Funds are to be used for the following:

- i. acquisition of land for parking in the municipal area;
- ii. design and construction of public parking, both on-street and off-street;
- iii. increased parking or improvement to existing public parking facilities and on-street parking;
- iv. servicing of loans obtained to provide public parking; or
- v. construction or upgrade of public transport, walking or cycling infrastructure consistent with a Council endorsed Parking Plan, Precinct Plans or other strategic planning or project plan.

5.4.4 Council is not required to consult with the developer on any matter related to the expenditure of any contribution.

## 6. GUIDELINES

6.1 The Cash-in-Lieu of Parking Policy will be implemented in the first instance by Council planning staff when assessing development applications. Staff will assess the respective merits of whether on-site parking is appropriate or whether better public outcomes are achieved from cash-in-lieu contributions. This assessment will be informed by the provisions within the planning scheme, as well as any Council endorsed Parking Plan, Precinct Plans or other strategic planning or project plan.

### **7. COMMUNICATION**

- 7.1 All Councillors and employees will be briefed on this policy as part of individual induction programs and on an on-going basis.

### **8. LEGISLATION**

- 8.1 The following statutory documents should be considered in conjunction with this policy:
- 8.2 *Kingborough Interim Planning Scheme 2015* – or subsequent replacement

### **9. RELATED DOCUMENTS**

- 9.1 Nil.

### **10. AUDIENCE**

- 10.1 The Cash-in-Lieu of Parking Policy primarily applies to the Council planning authority in the exercise of its duties in assessing development applications that require parking provisions within the planning scheme to be met. Prospective developers need to be aware of this Policy and it is publicly accessible via Council's website.