

14.3.5 PAYMENT IN LIEU OF PARKING PLAN - GUILDFORD

Ward	Midland/Guildford Ward
Disclosure of Interest	Nil
Business Unit	Statutory Planning
Authorised Officer	Executive Director Planning and Development
Voting Requirements	Simple Majority

KEY ISSUES

- A Payment in Lieu of Parking Plan is an instrument required to be in place to enable a local government to impose a payment in lieu of parking condition on a development approval as set out in Part 9A of Schedule No.2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- In 2016 the City prepared a Parking and Access Strategy for Guildford which was advertised for public comment and subsequently adopted by Council on 7 September 2016. The Strategy made recommendations for a range of actions to improve general access within Guildford beyond the sole provision of new parking bays.
- Subsequent to the Council adoption of the Parking and Access Strategy for Guildford, the City's Local Planning Policy POL-TP-129 Vehicle Parking Standards was revised (15 February 2017) to include provisions specific to cash payment in lieu of providing parking spaces in Guildford, providing for use of cash-in-lieu for any purposes connected with the creation, management of or improvement to public parking facilities.
- The proposed Payment in Lieu of Parking Plan for Guildford has been prepared in the form required by the Western Australian Planning Commission and:
 - Sets out the purposes of the Plan;
 - Outlines the area to which the Plan applies;
 - Sets out the manner in which costs for payment in lieu of parking will be calculated;
 - Identifies the purposes to which cash in lieu will be applied; and
 - Sets out operational and administrative requirements.
- The proposed Payment in Lieu of Parking Plan for Guildford will need to be advertised for public comment for a period not less than 21 days. Submissions received on the Plan will be considered and the Plan will be represented to Council for its adoption or otherwise.

AUTHORITY/DISCRETION

Clause 77J. of Schedule No.2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* provides that a local government may prepare a payment in lieu of parking plan for any part of the Scheme area. The Plan must be prepared in the form approved by the Western Australian Planning Commission.

BACKGROUND

Amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015* were made to incorporate provisions about car parking to apply to all local planning schemes in Western Australia.

Such provisions include a requirement for a Payment in Lieu of parking Plan to be in effect before a local government may impose a payment in lieu of parking condition on a development approval.

In 2016 the City prepared a Parking and Access Strategy for Guildford which was advertised for public comment and subsequently adopted by Council on 7 September 2016. The Strategy made recommendations for a range of actions to improve general access within Guildford.

Consequent to the adoption of the Strategy the City effected the recommendations therein to modify the City's Local Planning Policy pertaining to parking in order to allow for the alternative use of cash in lieu funds for provision of infrastructure to improve accessibility, including, but not limited to the following purposes:

- The land and construction costs of public parking stations provided by Council or within a joint venture;
- The cost of creating additional parking bays within road reserves;
- The capital costs of new local public transportation infrastructure, including cycling and pedestrian facilities, shuttle bus service infrastructure or real time transit information, that are situated on land under the control of the Local Government;
- Parking information systems;
- Security lights;
- Improved pathways to access parking areas;
- Upgrading the design of on-street parking facilities;
- Maintaining any Council-owned parking facility or related infrastructure; and
- The reasonable costs to the Council of administering this provision including professional fees and borrowing costs.

The proposed Plan is to apply to the whole of the locality of Guildford and incorporates the measures detailed above.

The recommended reasonable estimate of a cost in lieu of provision of a single at grade parking bay is \$7500.

ATTACHMENTS

1. Payment in Lieu of Parking Plan Guildford [**14.3.5.1** - 13 pages]

STRATEGIC IMPLICATIONS

Built Environment

B2 Infrastructure that meets community needs

B2.1 Manage current and future assets and infrastructure

STATUTORY IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015

FINANCIAL IMPLICATIONS

Nil.

RECOMMENDATION

That Council resolve to:

1. Advertise the proposed Payment in Lieu of Parking Plan for Guildford for a period of 21 days in accordance with the requirements set out in Clause 87 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

CARRIED EN BLOC

City of Swan

Payment in Lieu of Parking Plan Guildford

October 2024



Payment in Lieu of Parking Plan Guildford

City of Swan

REV	DATE	DETAILS
A	23/10/2024	Draft Guildford Payment in Lieu of Parking Plan

	NAME	DATE	SIGNATURE
Prepared by:	Natasha Jurmann	23/10/24	
Reviewed by:	Phil Russell	21/1/25	

The City of Swan acknowledges that every project we work on takes place on First Peoples lands.
We recognise Aboriginal and Torres Strait Islander Peoples as the first scientists and engineers and pay our respects to Elders past and present.

Table of contents

1

	Introduction	1
1.1	Regulatory compliance.....	1
1.2	Purpose.....	1
1.3	Operational dates.....	1
1.4	Objectives of the Plan.....	1
1.5	Linkages to relevant adopted planning documents	1
2	Terms used	3
2.1	Terms used	3
3	Parking plan application and area.....	4
3.1	Map(s)	4
3.1.1	Individual area map.....	4
3.2	Application of payment in lieu of parking.....	5
3.2.1	Car Parking Rates.....	5
3.2.2	Guildford Area	5
3.2.3	ETC Core Area	5
4	Reasonable estimate of costs for payment in lieu	6
4.1	Calculation of reasonable estimate of costs	6
4.2	Revision to reasonable estimate of costs.....	6
4.3	Attribution of costs	6
5	Purposes for which payment in lieu will be applied	7
5.1	Public car parking infrastructure.....	7
5.2	Other transport infrastructure.....	7
5.3	Ancillary or incidental purposes	7
6	Operation.....	8
6.1	Operational requirements	8
6.2	Triggers for payments to be made	8
6.3	Decision-making on Development Applications using this Plan.....	8

7	Financial Administration (clause 77I).....	9
7.1	Reserve Account to be established and maintained	9
7.2	Interest earned	9
7.3	Records to be kept.....	9
7.4	Reporting	9
7.5	Invoice for payment of money	9
7.6	Money held in the Reserve Account at the expiry of the Plan	9

1 Introduction

1.1 Regulatory compliance

This Payment in Lieu of Parking Plan (the Plan) has been created under Schedule 2, Part 9A of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) and has been prepared in the Manner and Form approved by the Western Australian Planning Commission (WAPC).

1.2 Purpose

This Plan, together with the Regulations, governs the application of payments in lieu of providing car parking for development in the area(s) identified in this Plan. This plan outlines the purposes for which payment in lieu of car parking will be used in the areas(s) identified and how money collected will be administered.

Payment in lieu of parking provides options for different development type within Guildford where the historic physical development of the town predates the advent of the motor vehicle and where extensive provision of parking within private property cannot actually be provided and/or such provision may be to the detriment of preservation of heritage character.

Payment in lieu is also a valuable source of funding for transport infrastructure, including development of shared public car parks, management technology, wayfinding, shared paths, streetscape improvements and other local transport amenities.

1.3 Operational dates

The Plan commenced operation on *<Insert Date – Day after Publication of Notice of Adoption – clause 77N(1)(a)>*.

The Plan will cease operation on *<Insert Date>*, being 10 years from the operational date, unless extended in writing by the WAPC prior to the expiry date.

1.4 Objectives of the Plan

The objectives of the Plan are:

- To deliver parking that is sufficient to support the economic development of the Guildford.
 - To ensure that the provision of parking meets the desired planning outcomes, which is to preserve the character of the historic town that is “a place for people”, has great amenity, is commercially vibrant, and is easily accessible and environmentally sustainable.
 - To support access to Guildford by private vehicle, while ensuring that the provision of parking does not undermine the desire to encourage the use of public transport, walking and cycling to and from Guildford.
-

1.5 Linkages to relevant adopted planning documents

The Plan supports the implementation of the following documents and the Integrated Planning and Reporting framework:

Guildford Documents

- Parking and Access Strategy for Guildford (2016)

City of Swan Planning and Policy Documents

- Local Planning Strategy (2020)
- Local Planning Scheme No.17 (2021)
- Strategic Community Plan 2021 – 2031
- Corporate Business Plan 2022/23 – 2025/26
- Vehicle Parking Standards – POL-TP-129 (2021)
- Guildford-Mandoon Local Heritage Area Planning Policy 2022
- Local Commercial and Activity Centres Strategy (2016)
- Transport Strategy (2014)

2 Terms used

2.1 Terms used

The terms used in the Plan have the same meaning as in the Regulations.

3 Parking plan application and area

This Plan relates to the area specified in Section 3.1. Moneys collected within the Plan area must be spent in the Plan area.

3.1 Map(s)

This Plan applies to the area as depicted in Figure 3.1.

3.1.1 Individual area map

Figure 3.1 Guildford payment in lieu of parking contribution area

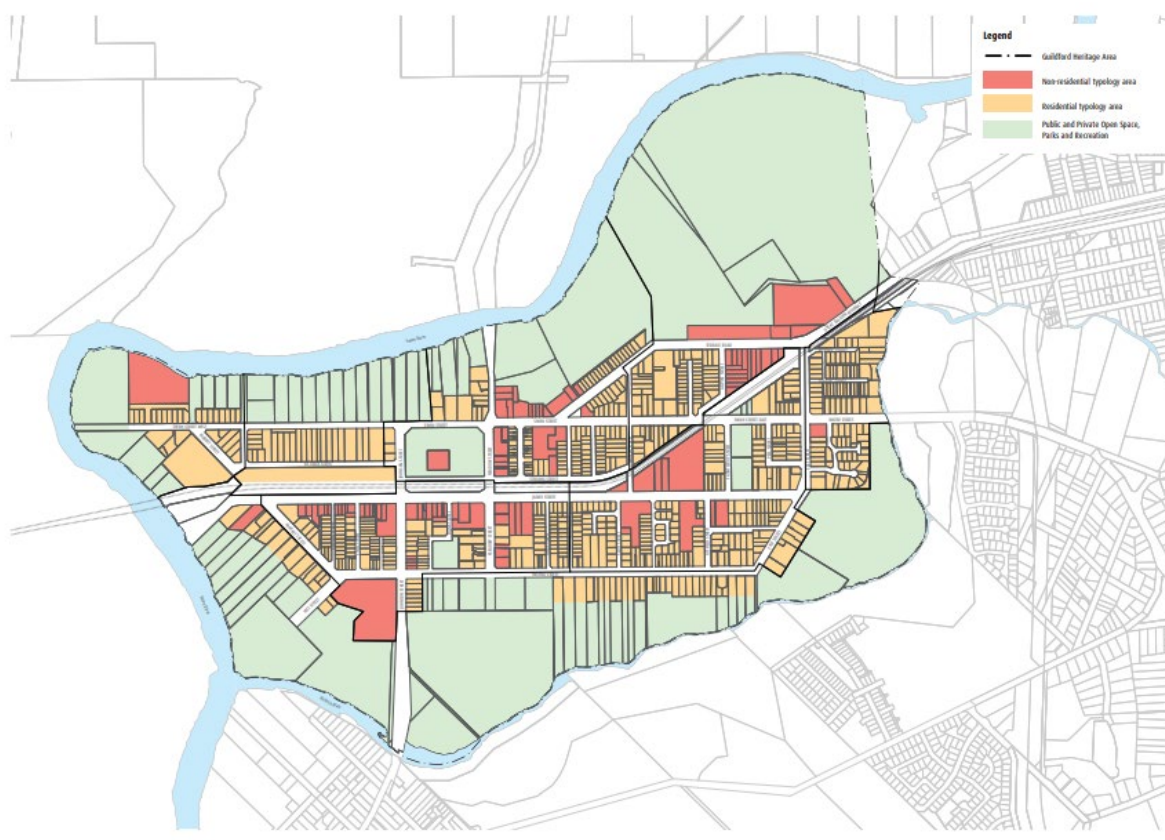
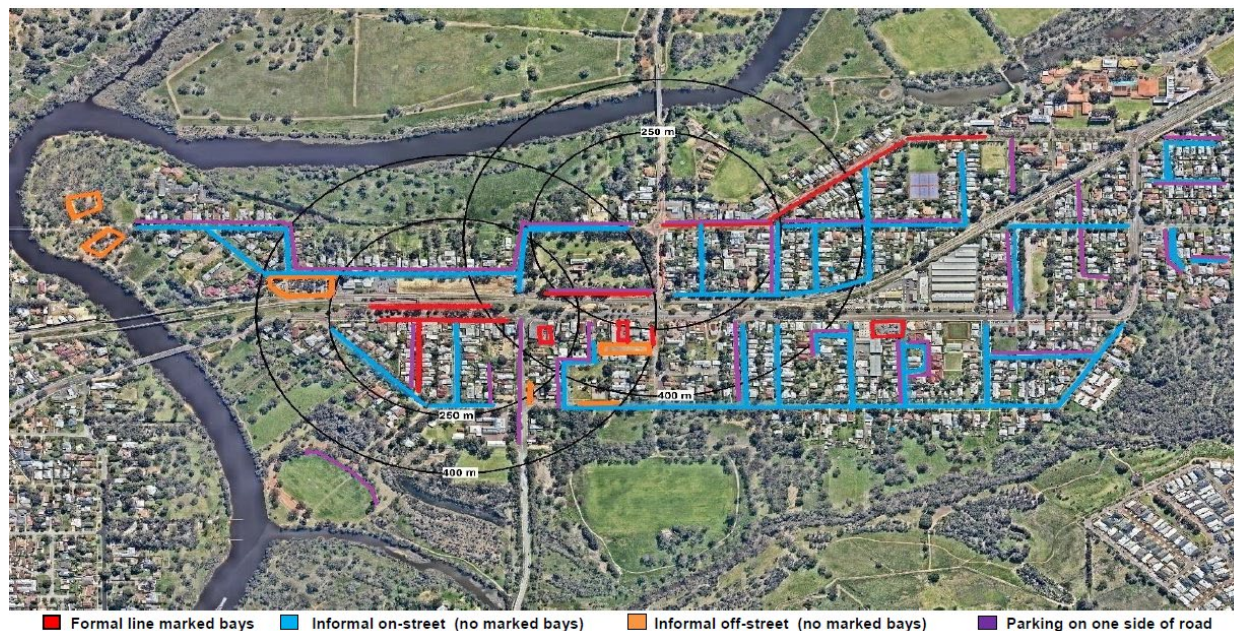


Figure 3.2 – Measures for Public Parking Infrastructure, other transport Infrastructure and ancillary or incidental purposes to be applied in the below highlighted locations.



3.2 Application of payment in lieu of parking

3.2.1 Car parking rates – as per TP129 – City's parking policy

Minimum on-site parking requirements for various types of land use are set out in Local Planning Policy POL-TP-129 Vehicle Parking Standards .

4 Reasonable estimate of costs for payment in lieu

4.1 Calculation of reasonable estimate of costs

This section of the Plan determines a reasonable cost estimate for the City to provide car parking and other infrastructure, including local transport and streetscape improvements, in lieu of providing car parking on the development site.

The calculation of a per bay rate has been determined by the City for transparency. The City can amend this rate in line with changing costs, to reflect the current market value, such as land valuation or construction cost changes.

This calculation is based on an approved method of calculation governed by the WAPC, in accordance with Clause 77H(4) and (5).

The payment in lieu expense per bay will be based on the cost of construction of a single at-grade parking space.

This cost will be calculated by the City on an annual basis, and updated when required by this plan. The applicable fee per bay is \$7500.00, being based on an infrastructure cost of \$500 per m2.

4.2 Revision to reasonable estimate of costs

The Reasonable Estimate of Costs in this Plan will be reviewed and can be revised by the City time to time using the method(s) approved by the WAPC (as published in the Gazette).

Revised Estimates of Cost will be published in the updated version of the Plan in Section 4.1, together with a note confirming the date of inclusion of the revised estimate.

Revised Estimates of Cost will also be included in Section 1 of the Plan, under a new subsection titled 'Amendments to the Plan'. All amendments / revisions to the Plan will be made in accordance with clause 77M and will be published by the City and maintained in table form in Section 1, in accordance with clause 77L.A.

5 Purposes for which payment in lieu will be applied

In accordance with clause 77I(2), contributions collected through payment in lieu of parking shall be paid into a designated Reserve Account owned and managed by the City, which shall only be used for the following purposes:

- Public car parking infrastructure;
- Other transport infrastructure; and/or
- Ancillary or incidental purposes

The items defined under these categories are detailed in Section 5.1, 5.2 and 5.3 of this Plan.

5.1 Public car parking infrastructure

The public car parking infrastructure items that payment in lieu will be used for under this Plan include:

- Construction of public car parking facilities, include general car parking and specialised bays (ACROD, on-demand transport / taxi bays).
- Improvements to existing public car parking facilities.
- Provision of associated lighting.
- Supporting parking infrastructure, including parking ticket machines / parking metres and other parking technology to support parking management measures, parking control signage, line marking.

No funds from the Reserve Account shall be used for the operation of car parks, or to fund parking enforcement.

5.2 Other transport infrastructure

Other transport infrastructure items that payment in lieu will be used for under this Plan include:

- Construction of new, or upgrades to existing, pedestrian and bike riding infrastructure (this includes the provision of traffic calming measures, footpaths, shared paths, secure bicycle parking facilities / end of trip facilities).
- Funding support for elements to improve public transport use.
- Construction of public motorcycle parking.
- Installation of wayfinding and signage.

5.3 Ancillary or incidental purposes

Ancillary or incidental purposes items that payment in lieu will be used for under this Plan include:

- Provision of shade trees to enhance the streetscape and deliver improvements to the public realm.
- Provision of street furniture to enhance the streetscape and deliver improvements to the public realm.
- Undertaking streetscape improvements, cycling network improvements and other infrastructure upgrades where these would result in a reduction in driving mode share and / or parking requirements.
- Education campaigns to encourage public transport and active transport use.

6 Operation

6.1 Operational requirements

The Plan shall operate in accordance with Part 9A of the Regulations.

6.2 Triggers for payments to be made

Payment of money shall be made to the City to satisfy a payment in lieu of car parking condition validly applied to a development approval for development located in the area subject to the Plan. The payment in lieu of car parking condition applied to the development approval shall specify when the City requires payment of monies to be made.

Prior to granting development approval and imposing a condition for payment in lieu of parking, the City must give the applicant a notice of apportionment in accordance with clause 77F(1)(b), which confirms the specified shortfall of car parking spaces in the proposed development that is to be dealt with by the condition, which will read as follows:

“Prior to the commencement of development, payment of <insert total amount> shall be made to the City of Swan for Payment in Lieu of <insert number of car parking bays> car parking bays which have not been provided on site or in a shared parking arrangement. This condition has been imposed under the requirements of the City of Swan’s Payment in Lieu of Parking Plan (this Plan) and Schedule 2, clause 77H of the Planning and Development (Local Planning Schemes) Regulations 2015.”

6.3 Decision-making on Development Applications using this Plan

Decision makers are to have due regard to the Plan when making decisions on development applications that seek or require consideration of Payment in Lieu of Car Parking under the Plan.

7 Financial Administration (clause 77I)

7.1 Reserve Account to be established and maintained

The City shall establish and maintain a Reserve Account for money collected under the Plan (clause 77I(1)). The Reserve Account shall be established under the provisions of the *Local Government Act 1995*, Section 6.11. The reserve account shall be operated in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996*.

7.2 Interest earned

Interest earned on the Reserve Account under the plan shall be treated in accordance with clause 77I, noting that clause 77I(3) requires interest earned on monies held in the Reserve Account must be applied for the purposes set out in this Plan.

7.3 Records to be kept

Records of income and expenditure for the Reserve Account established under the Plan shall be maintained by the City until all funds have been expended or repaid.

7.4 Reporting

Report of the Reserve Account shall be provided in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996*.

7.5 Invoice for payment of money

In addition to a payment in lieu of parking condition applied to a development approval under clause 77H, the City shall issue an invoice to the payer at the appropriate time to enable the payer to satisfy the condition of development approval. The invoice shall specify the method and timing for payment of the money required to satisfy the payment in lieu of parking development approval condition.

7.6 Money held in the Reserve Account at the expiry of the Plan

Money held in the Reserve Account at the Expiry of the Plan shall be treated in accordance with clause 77I(5), (6) and (7) of the Regulations.