

28 June 2023

SUMMARY OF THE PAYMENT IN LIEU OF PARKING PLAN AND THE RELEVANT STATE GOVERNMENT REGULATORY REQUIREMENTS:

Summary

Cash in lieu of parking provisions are currently applied through the Town's *Local Planning Scheme No. 1* and *Local Planning Policy 3.13: Parking*. Payment in lieu of parking is an option available for circumstances where the minimum parking requirements have not been met. It is not guaranteed, however, that a payment in lieu of parking condition will be applied, and the Town will consider alternative options before imposing a payment in lieu of parking condition.

Recent State Government planning reforms introduced amendments to car parking provisions, including the requirement for a payment in lieu of parking plan prepared in the manner and form approved by the Western Australian Planning Commission (the Commission), to continue to apply payment in lieu of parking provisions.

The payment in lieu of parking plan (the plan) has been prepared in accordance with this manner and form and was adopted for advertising at the Ordinary Council Meeting on the 26th of April 2023 (DV23.17). Advertising concluded on the 23rd of May 2023 and the plan was subsequently approved by Council on the 27th of June 2023 (DV23.31).

In order to enable the Town to continue to apply payment in lieu of parking conditions, a payment in lieu of parking plan was required.

Frequently Asked Question's

What is a payment in lieu of parking plan?

A payment in lieu of parking plan is a plan which outlines the area where payment can be collected in place of meeting minimum parking requirements, and the purposes for which the Town can use these funds. Furthermore, the plan is required to be prepared in accordance with the Manner and Form document approved by the Commission.

Why do we need a payment in lieu of parking plan?

State Government planning reforms introduced amendments to car parking provisions, including the requirement for a payment in lieu of parking plan to enable local governments to continue to apply cash in lieu of parking provisions. Accordingly, to enable us to continue to apply cash in lieu of parking conditions, the Town has prepared a payment in lieu of parking plan following the manner and form approved by the Commission.

Part 9A in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* sets out the requirements for a payment in lieu of parking plan, including when and how payment in lieu of parking conditions can be applied.

When do we apply payment in lieu of parking conditions?

Payment in lieu of parking is an option available for proposals where the Town's minimum parking requirements are not met, and there is a proposed shortfall of at least two bays. It is not guaranteed, however, that the Town will apply a payment in lieu of parking condition, and the Town will consider alternative options before imposing this condition.

Does this mean developers do not have to provide car bays and can pay payment in lieu instead?

Developers are still obligated to provide the required number of car bays as specified in accordance with *Local Planning Policy 3.13: Parking*. Payment in lieu of parking conditions are only applied after the Town has thoroughly explored alternative options. Payment in lieu of parking conditions are considered a last option where it can be demonstrated that physical constraints or other site-specific factors make it unfeasible or impossible to provide the required bays.

Has the Town applied payment in lieu of parking conditions in the past?

The Town already has cash in lieu of parking provisions in the Town's *Local Planning Scheme No. 1* (the Scheme) and *Local Planning Policy 3.13: Parking*. Schedule E in the Scheme outlines additional development requirements that apply to the Town, including a provision that allows for cash in lieu of parking to be applied. Furthermore, LPP3.13 outlines the required number of parking spaces, in addition to where cash in lieu of parking conditions can be applied, and what factors the Town considers prior to applying cash in lieu payments.

The payment in lieu of parking plan was required to enable the Town to continue to apply payment in lieu of parking conditions.



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