

Rockingham Strategic Centre Payment in Lieu of Parking Plan

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 for which payment in lieu of car parking will be used in the area(s) identified and how money collected will be administered.

1.3 Operational dates

The Plan commenced operation on 17 April 2024.

The Plan will cease operation on 17 April 2034, being 10 years from the operational date, unless extended in writing by the WAPC prior to the expiry date.

1.4 Amendments to the Plan

Amendments to this Plan are made in accordance with clause 77M and the current version are published in accordance with clause 77L.

A record of amendments to the Plan is maintained in the table below:

Amendment No	Date	Comment
Nil		

1.5 Objectives of the Plan

The Plan has the following objectives:

1. To facilitate the provision and development of adequate parking facilities within the Rockingham Strategic Centre, which reflects the planning intent for a mixed use, urban, vibrant and accessible centre;
2. To provide the optimal balance of parking, which recognises and supports the desired planning intent for an accessible activity centre by all modes of transit;
3. To ensure that parking does not create an adverse impact upon the planned public realm of a walkable, active and desirably street edged development form in the activity centre;
4. To support access by public transport, walking and cycling, as well as private vehicles; and

5. Ensure the provision of parking is consistent with the Community Plan Strategy – Rockingham Strategic Metropolitan Centre - Public Parking and the City of Rockingham Town Planning Scheme No.2 (TPS2).

1.6 Linkages to relevant adopted planning documents

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

- City of Rockingham Town Planning Scheme No.2
- City of Rockingham draft Local Planning Scheme No.4 (*under preparation*)
- Community Plan Strategy - Rockingham Strategic Centre - Public Parking
- Draft Rockingham Precinct Structure Plan (RPSP) for the Rockingham Strategic Centre – (*under preparation*)

2.0 Terms Used

The terms used in the Plan have the same meaning as in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

3.0 Parking Plan application and area

This Plan relates to the area specified in Section 3.1. Any cash-in-lieu payments collected within the Plan area must be allocated in the Plan area.

3.1 Maps

The Plan applies to the following areas within the Rockingham Strategic Centre. The following maps specify those areas which are included as attachments to the Parking Plan.



2. Area B - Waterfront Village

4.0 Reasonable estimate of costs for payment in lieu

4.1 Calculation of reasonable estimate of costs

When an applicant proposes a development which is required to provide car parking bays within the Rockingham Strategic Centre subject to agreement by the City, that person may make a cash payment to the City in lieu of the provision of all or any of the required number of car parking spaces. The cash payment shall be in accordance with the requirements of the City’s Town Planning Scheme No.2.

Payment in lieu of parking contributions are to be based on the infrastructure cost per square metre to construct a car parking space 15m² in size. The maximum lump sum contribution shall be calculated according to the method outlined in Schedule 2, clause 77H(4) of the *Planning and Development (Local Planning Scheme) Regulations 2015 – Payment in lieu of parking condition for non-residential development (the calculation)*.

The payment in lieu of parking contribution is based on the following formula:

(Infrastructure Cost per m² x 15m²) x car bay shortfall

The purpose for which the payment in lieu will be applied, and the financial administration of the funds received, will occur in accordance with this Plan.

Area A - City Centre

In the case of development on land within “Area A” on Figure 1 the Calculation the Infrastructure Cost per m² is \$1,422 for a five storey multi decked car parking structure’s construction requirements. Costing \$21,330 per car parking bay shortfall when accepted by the City as CIL of the provision of parking bays.

Area B - Waterfront Village

In the case of development on land within “Area B” on Figure 2, the Calculation the Infrastructure Cost per m² is \$1,601 for a three storey multi decked car parking structure and all the relevant construction requirements. Costing \$24,015 per car parking bay shortfall when accepted by the City as CIL of the provision of parking bays.

4.2 Reasonable Revision of Estimate of Costs

The Reasonable Estimate of Costs in this Plan can be revised by the City on a 12 month basis using the method(s) approved by the WAPC (as published in the Gazette). Revised Estimates of Cost (Including Annual Indexation) are to 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.

This process does not require clause 77M of the *Planning and Development (Local Planning Scheme) Regulations 2015* to be followed for this purpose.

5.0 Operation

5.1 Triggers for payments to be made

When a condition is imposed on a Development Approval for payment in lieu of parking, the condition will specify the trigger or timing for the payment to be made.

Prior to granting Development Approval and imposing a condition for payment in lieu of parking, the City will 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. In this way, the notice of apportionment confirms the City’s consideration of a development application and how it will proceed to approval.

5.2 Payment in lieu of parking condition

“Prior to the commencement of development, payment of \$<insert total amount> shall be made to the City of Rockingham 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 Rockingham Strategic Metropolitan Centre Payment in Lieu of Parking Plan and Schedule 2, clause 77H of the Planning and Development (Local Planning Schemes) Regulations 2015.”

5.3 Decision making on Development Applications using this plan

This Parking Plan must be given *due regard* by the City when considering a Development Application and the application of a payment in lieu of parking condition as provided in clause 77H.

When the City's Town Planning Scheme No.2 contains a provision mandating payment in lieu of parking, a condition shall be recommended by the City and applied by the decision maker in accordance with the local planning scheme requirements.

6.0 Financial Administration (Clause 77I)

6.1 Reserve account to be established and maintained

The City will establish and maintain a Reserve Account for money collected under the Plan in accordance with 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*.

6.2 Interest Earned

Interest earned on the Reserve Account under the plan shall be treated in accordance with clause 77I, which requires that interest be spent for the purposes set out in this payment in lieu of parking plan.

6.3 Records to be kept

The City will keep records of income and expenditure for the operation of the Plan. This will include income contributions from payments received and expenditure of monies on items that are identified in the Plan.

6.4 Invoice for payment of money

Once a condition has been applied on a Development Approval requiring payment in lieu of parking, the condition does not become 'active' until the development commences.

Once the payment in lieu of parking condition becomes active (i.e. in accordance with the recommended condition, that works are about to commence on-site or the development is at building permit stage), the City will issue an invoice for the payment in lieu of parking. The invoice shall specify the timing for payment. The City can enter into agreements for the payment plans to enable payments to be made over an agreed specified period.

6.5 Money held in the Reserve Account at the expiry of the plan

Clause 77I(5),(6) and (7) outline specific requirements for the treatment of money held in the Reserve Account when the Plan expires.

Clause 77I(5) requires that any unexpected money and interest on that money must be repaid to the relevant payer. The relevant payer is the original person or body corporate who paid the money.

Where the relevant payer cannot be found after taking reasonable steps to find the relevant payer or if the body corporate has been dissolved, clause 77I(6) allows the City to retain the money. The reasonable steps to find the relevant payer, for the purpose of this clause include:

- at least two attempts to contact the payer in writing, with at least 14 days passing between each notice being sent;
- a detailed search of the City's records and a web based search for payer details for other properties; and
- a request for payer details from service agencies (e.g. Water Corporation) as these organisations have more regular payment systems that may have involved the payer.

In accordance with clause 77I(7) money retained will be applied for any purpose that:

- (a) relates to the provision or maintenance of public parking infrastructure in the Scheme area; or
- (b) is ancillary or incidental to purposes referred to in paragraph (a).

6.6 Money already held in Reserve Account

Cash in lieu payments made under Town Planning Scheme No.2, which are already retained when Part 9A came into operation on 1 July 2021, can be spent on or retained for previously identified parking infrastructure. No transitional provisions apply to these funds under the *Planning and Development (Local Planning Schemes) Regulations 2015*. Previously received payments for car parking shortfalls will be retained within a separate Reserve Account to the operation of payments received based on Part 9A as of 1 July 2021.

6.7 Extending 10 Year Approval Period

This Payment in Lieu of Parking Plan shall have effect for the period of 10 years commencing on the 17 April 2024 in accordance with clause 77K or a longer period as approved by the WAPC. In this regard, approval can be obtained either before or after the Plan is approved by the City.



Appendix 1 - Area A - City Centre



Appendix 2 - Area B - Waterfront Village

