

CARPARKING FUND POLICY	
Council Policy	
TRIM Reference	AR20/50472[v2]
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Next Review	June 2027

1. POLICY STATEMENT

- 1.1 The Carparking Fund has been established to allow the contribution of a monetary amount in-lieu of requiring full provision of on-site carparking in accordance with specified rates in the Council's Development Plan. This can support the facilitation of public or integrated parking and more efficient carparking areas, or alternative travel modes to reduce demand, within the designated area.

2. PURPOSE

2.1 Purpose

- 2.1.1 Set clear guidelines for the establishment, operation and review of the Council's Carparking Fund consistent with Section 50A of the Development Act 1993 (Repealed) and Section 197 of the Planning, Development and Infrastructure Act 2016.
- 2.1.2 Assist in the provision of carparking that is required as part of development proposals but is not able to be provided on the site of the related development.
- 2.1.3 Ensure that carparking is aggregated in suitable locations in order to protect existing amenity and streetscape.
- 2.1.4 Create an opportunity to provide alternative forms of transport that reduce reliance on carparking (including cycling facilities) and provide greater access to facilities for those not able to use cars.

2.2 Scope

- 2.2.1 Council is committed to the effective operation of a Carparking Fund and facilitation of contributions according to this Policy.
- 2.2.2 Section 197 of the Planning, Development and Infrastructure Act 2016 allows councils to maintain a Carparking Fund for a designated area defined in its Planning and Design Code (e.g. Zone or Policy Area) as an Offset Account. Where the Council and the applicant agree, contributions can be made in-lieu of meeting some of the Planning and Design Code requirements for carpark spaces where they cannot be provided on-site.

2.3 Strategic Reference

4 Infrastructure

- 4.1 Our physical infrastructure meets our community needs.
- 4.2 We have safe, accessible and well-utilised CBD, public spaces and built environments that reflect the priorities of our community.
- 4.3 Our City develops and evolves in a planned way, improving the appearance of our City and making efficient use of infrastructure.

3. PRINCIPLES

3.1 Creation of Fund

3.1.1 Name of Fund

City of Port Augusta Carparking Fund ('The Fund'). The account receiving payments under the policy shall be designated as the Carparking Contributions Fund.

3.1.2 Establishment of Fund

The Fund was established in accordance with Section 50A of the Development Act 1993, relating to the creation of car parking funds and the Advisory Note, Planning 16 Carparking Funds. An application was submitted to the Minister for Planning and was approved by the Minister on 20 August 2002. The Fund is now retained under Section 197 of the Planning, Development and Infrastructure Act 2016,

3.1.3 Commencement of Fund

The fund commenced on 26 September 2002 with the publishing of a notice in the Government Gazette on that day.

3.1.4 Continuation of Fund

On 19 March 2021 the *Planning, Development and Infrastructure Act 2016* came into effect and replaced the *Development Act 1993*. Pursuant to Schedule 8 - Transitional Provisions, Part 11 - Funds of the Act, a carpark fund established under section 50A of the *Development Act 1993 (repealed)* will continue as a fund under section 197 of the Act.

3.1.4 Designed Area for Fund

The Suburban Activity Centre Zone in Port Augusta as delineated in the City of Port Augusta Planning and Design Code.

3.2 Management of Fund Payments

3.2.1 The carparking requirements for development are to be those assessed as appropriate to the circumstances, based upon the rates prescribed by the Port Augusta City Council Planning and Design Code or as may be determined from time-to-time by considering relevant land use generating guides or by Council's acceptance of specific parking demand analysis undertaken by a qualified traffic engineer.

3.2.2 New developments proposed in the Port Augusta Suburban Activity Centre shall endeavour to provide the required on-site carparking associated with the proposed use.

3.2.3 When a development application is submitted (whether for new developments or to make alterations, additions, extensions, replacement of, or to change the use of, an existing building) and the full extent of required carparking cannot be provided on the site appropriately, a cash payment to the fund may be a suitable solution to address the shortfall.

3.2.4 The monies received from cash payments in-lieu of off-street parking spaces shall be held by the Council in the Carparking Fund, to be used to improve the management of parking.

3.2.5 Council retains discretion to utilise the fund to address any carparking shortfalls and must be mutually negotiated and agreed as an appropriate solution.

3.2.6 Agreement to make a cash payment in-lieu of carparking space shall be included as a part of the Planning Consent application, and if consent is granted it shall be subject to an appropriate condition. The agreement to make a cash payment in-lieu shall be in a legally binding form (i.e. Deed) that is executed prior to Council granting Development Approval in respect of the application.

- 3.2.7 Payment shall be received by Council prior to the subject development being occupied, with a minimum of 50 percent of the total value required provided prior to the issuing of Development Authorisation, with the remainder of the contribution paid within six (6) months of Development Authorisation.
- 3.2.8 To ensure there is clear record keeping and public accountability, a City of Port Augusta Carparking Contribution Fund Register will be established and available for public inspection. The Register will maintain the following details:
 - 3.2.8.1 Subject development applications;
 - 3.2.8.2 Carparking demand versus provision calculations and the parking shortfall number required to be compensated;
 - 3.2.8.3 The amount of individual contributions due to be paid to the Carparking Fund;
 - 3.2.8.4 Records of payments received, including the amount and date of the payment;
 - 3.2.8.5 Expenditure of Fund monies and implemented improvements;
 - 3.2.8.6 Total number of additional parking spaces and improved parking facilities developed by the Fund.

3.3 Contributions to the Fund

- 3.3.1 The cash contribution is to be \$3000 per carpark.
- 3.3.2 The rate of contribution will be reviewed biennially to reflect changing land components and carpark construction costs in the designated area.
- 3.3.3 In determining the contribution rate per carpark, a discount of some 50% to the full land and construction costs has been determined as appropriate in considering the following factors:
 - 3.3.3.1 The contributor does not obtain ownership of the carparking space(s) and therefore cannot trade them as an asset;
 - 3.3.3.2 The occupants, clients and employees of the development will not have reserved or guaranteed use of the spaces for which a contribution is made;
 - 3.3.3.3 Council may receive income from the management of parking spaces created with the Fund contributions;
 - 3.3.3.4 Council may generate income in other forms through the development of air space or portions of land initially acquired with contributions;
 - 3.3.3.5 The Fund may be used for any vehicular and pedestrian purposes to optimise the strategic management of carparking space.

3.4 Application of Funds Raised

- 3.4.1 Council's approach to managing carparking in the Port Augusta Suburban Activity Centre includes:
 - 3.4.1.1 Optimal management of on-street carparking;
 - 3.4.1.2 Encourage integration and shared use of rear yards and/or upgrading and formalisation of spaces to increase carparking provision and/or improve utilisation efficiency;

3.4.1.3 Purchase of land to develop public car parks when suitable sites become available in the Designated Area; and

3.4.1.4 Facilitation of bicycle use.

3.4.2 Fund monies shall be applied in accordance with Section 50A(8) of the Development Act 1993 and Section 197 of the Planning, Development and Infrastructure Act 2016 and be primarily used towards the maintenance, improvement, operation and establishment of carparking and transport facilities within the Port Augusta Suburban Activity Centre.

3.5 Additional Funds

From time to time, Council may consider the allocation of additional funds, from either General Revenue or other sources, to the Carparking Fund for specific purposes.

4. RESPONSIBILITY & REVIEW

4.1 Responsible Officer

Director Infrastructure.

4.2 Availability

This policy will be available on Council's website.

4.3 Review

This policy will be reviewed within 12 months of a General Election for Local Government, or as required to meet other obligations.

5. REFERENCES

5.1 Legislation

Development Act 1993 - Repealed
Development Regulations 2008 - Repealed
Planning, Development and Infrastructure Act 2016
Planning and Design Code 2016

5.2 Other References

Council adoption of Rule (RULA0063) for a Carparking Fund by Council 27 August 2001.
Fund: Port Augusta 25 Car Parking Fund in LGFA.