

Council Policy

CONTRIBUTIONS IN LIEU OF THE PROVISION OF ONSITE CAR PARKING

Corporate Plan Reference:	Corporate Plan Theme 3 - The Noosa Economy Priority 5 - Provide support to businesses to foster their establishment and growth.
Endorsed by Council:	17 May 2018
Policy Author:	Strategic Land Use Planning

POLICY BACKGROUND

The purpose of this policy is to:

1. Outline the circumstances under which a monetary contribution might be made for development in lieu of providing onsite parking and the amount of such charges;
2. Define how contributions are to be obtained and expended, and
3. Encourage and promote alternative transport usage, rather than place continuing reliance on the use of private cars.

This is a Council Policy that is separate to the planning assessment process under the Noosa Plan and the Planning Act 2016. The application of the policy is at the discretion of the Council.

The Policy acknowledges that while the Noosa Plan requires onsite car parking to be provided for development certain circumstances may warrant allowing a contribution to be made as an alternative to providing the car parking on site. The policy provides the circumstances under which a contribution might be made by an applicant including nominated locations and relevant criteria.

The Council may allow a contribution to be made in lieu of some or all car parking required by development under the Noosa Plan. The applicable contribution amount, how and where a contribution might be spent are set out in the Policy. A contribution can only be made by way of an infrastructure agreement between an applicant and the Council.

Under this policy the term 'applicant' means the person in whom the benefit of the application vests.

COUNCIL POLICY

A. Accepting Contributions in lieu of Providing Car Parking Spaces on site

Council may accept monetary contributions in lieu of onsite parking despite the requirements of the Noosa Plan and having regard to the following:-

1. The premises are significantly constrained in terms of having restricted access, a small site area with limited onsite manoeuvrability, located near a road intersection or otherwise encumbered and unable to be readily amalgamated with adjoining land;
2. It is not practical or desirable from a town planning perspective to provide the required amount of car parking onsite due to the nature and type of development adjoining the land;
3. It is in the community's interest to provide for alternative car parking arrangements because of traffic and or pedestrian safety concerns that might be caused by the development;
4. The provision of onsite car parking and access is not practical or desirable from a character perspective, being within a central area and where additional footpath crossovers would adversely impact upon the streetscape or result in the loss of significant road side vegetation;

5. The locality would benefit more from improved public transport, pedestrian or cycle facilities compared to the provision of additional car parking onsite; and
6. The development complies with the Noosa Plan or the Council has determined that there are reasons why the development should be approved despite any conflict with the assessment benchmarks, in accordance with section 63(5)(e) of the *Planning Act 2016*.

This policy applies to those areas shown shaded in Maps 1 to 10 (refer **Appendix 2**), applying to the following areas:

- Kin Kin
- Cooran
- Pomona
- Cooroy
- Tewantin
- Noosaville
- Noosa Heads - Noosa Junction
- Noosa Heads - Hastings Street
- Sunshine Beach
- Peregian Beach

An applicant interested in contributing in lieu of providing onsite car parking under the Policy is to engage with the Council in the early stages of the development assessment.

B. Contributions may be accepted in Other Areas

In some circumstances Council may allow for a contribution to be made in lieu of providing onsite car parking for development not included in a central area shown on Maps 1 – 10 (**Appendix 2**). Council may agree to a contribution under this policy under the following circumstances:-

1. The applicant has demonstrated that there is a significant community need for the proposed development;
2. The proposed development is centrally located within an urban area and located close to public or active transport infrastructure;
3. A lack of onsite car parking will not cause adverse undesirable traffic impacts off site; and
4. The development complies with the Noosa Plan or the Council has determined that there are reasons the application should be approved despite not complying with any of the assessment benchmarks in accordance with section 63(5)(e) of the *Planning Act 2016*.

C. Requirement for an Infrastructure Agreement

Should the Council determine that it is appropriate for an applicant to contribute in lieu of providing onsite car parking, an infrastructure agreement shall be entered into by the parties. Under the *Planning Act 2016*, an infrastructure agreement is separate to a development approval, both of which reside with the land.

The infrastructure agreement entered into is to be in a form acceptable to Council. The infrastructure agreement is to be signed by the applicant prior to a decision being made about the application. If the Council resolves to enter into an infrastructure agreement, the Council will sign the infrastructure agreement after the decision has been made to approve the development. A copy of the infrastructure agreement will be provided with the decision notice that issues for the development in accordance with the requirements of the *Planning Act 2016*. Any costs incurred by Council in preparing and executing the Infrastructure Agreement shall be met by the applicant.

D. No effect on Infrastructure Charges or other Works

The payment of a monetary contribution under an infrastructure agreement in lieu of the provision of onsite car parking shall have no effect on infrastructure charges that might be payable under the relevant Noosa Shire Council Charges Resolution. Further, any contribution made under this policy

has no effect on any external works that might be reasonably required by the Council for development under the Noosa Plan.

E. Rate of Contribution

Contributions in lieu of the provision of onsite car parking will be in accordance with the rates provided in **Appendix 1**.

The applicable rate will be adjusted annually having effect from 1 July each year. When the applicant makes payment the amount shall be based on the applicable rate in **Appendix 1** at that time.

Contributions in lieu of onsite car parking under **Appendix 1** for the areas of Kin Kin, Cooran and Pomona may be waived under this Policy by Council if it is demonstrated to be in the community's interest to assist business activity and job creation in these rural centres.

F. Use of Contributions

Contributions obtained in lieu of the provision of onsite car parking for development will be expended in the locality of the development. This does not necessarily mean that any additional parking will be provided in the immediate vicinity of any development for which a contribution has been made.

Contributions received under the Policy may be used for, but are not necessarily limited to, any of the following:

1. The provision of car parking within a road reserve or on land for which the Council is trustee;
2. Alteration and rationalisation of existing public car parking to improve efficiency and utilisation;
3. Improvements to the configuration of existing infrastructure and facilities to improve traffic, pedestrian and cycle capacity or safety;
4. The construction of additional pedestrian and cycle facilities in a locality to encourage transport means that are an alternative to private cars; and
5. The construction of public transport infrastructure to improve efficiency and encourage the use of public transport.

To be clear, contributions received are not intended to be used to acquire land to provide additional parking.

The provision of additional car parking and transport infrastructure where desirable and practicable, is to occur without significant loss of public open space.

ROLES AND RESPONSIBILITIES

The Manager Development Assessment is responsible for the implementation of the policy in parallel with the development assessment process.

Whether or not an applicant is able to contribute in lieu of the provision of some or all car parking required for development under the Noosa Plan is to be determined by Council resolution.

RELEVANT LEGISLATION

The Local Government Act 2009

Version control:

Version	Reason/ Trigger	Change (Y/N)	Endorsed/ Reviewed by	Date
1.0	Eg. Create new			DD/MM/YYYY
	Eg. Review			

Appendix 1 – Contribution Rates

The following table indicates the applicable rates for the relevant central areas.

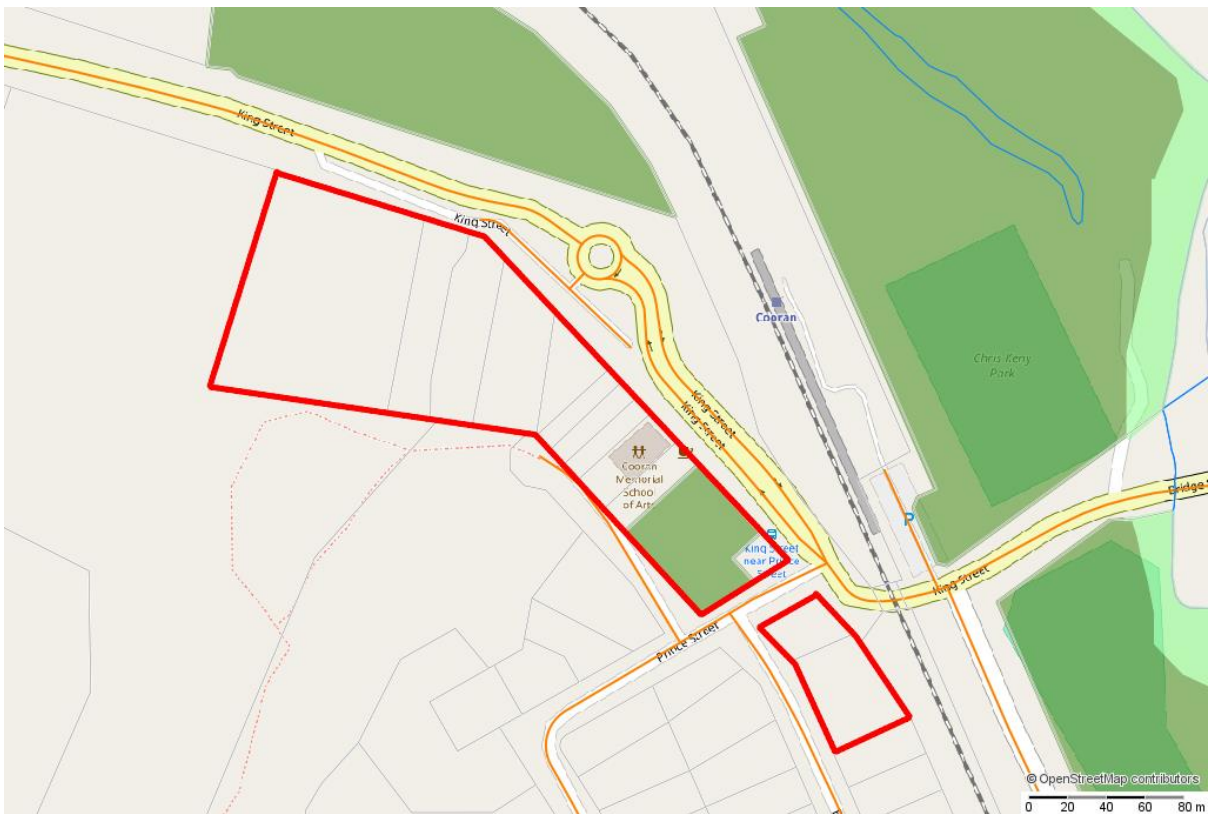
CENTRAL AREA	RATE PER SPACE (current at 18 May 2018)	Purpose of Contribution
Kin Kin	\$3,000*	On road parking or transport initiatives
Cooran	\$3,000*	On road parking or transport initiatives
Pomona	\$3,000*	On road parking or transport initiatives
Cooroy	\$10,000	On road parking or transport initiatives
Tewantin	\$12,000	On road parking or transport initiatives
Noosaville	\$15,000	On road parking or transport initiatives
Noosa Heads – Hastings Street	\$24,000	On road parking or transport initiatives (or potentially decked parking)
Noosa Heads – Noosa Junction	\$24,000)	On road parking or transport initiatives (or potentially decked parking)
Peregian Beach	\$12,000	On road parking or transport initiatives
Sunshine Beach	\$12,000	On road parking or transport initiatives

* These amounts can be waived for these central areas upon application to Council.

Appendix 2 – Central Area Maps



Map 1 Kin Kin



Map 2 Cooran



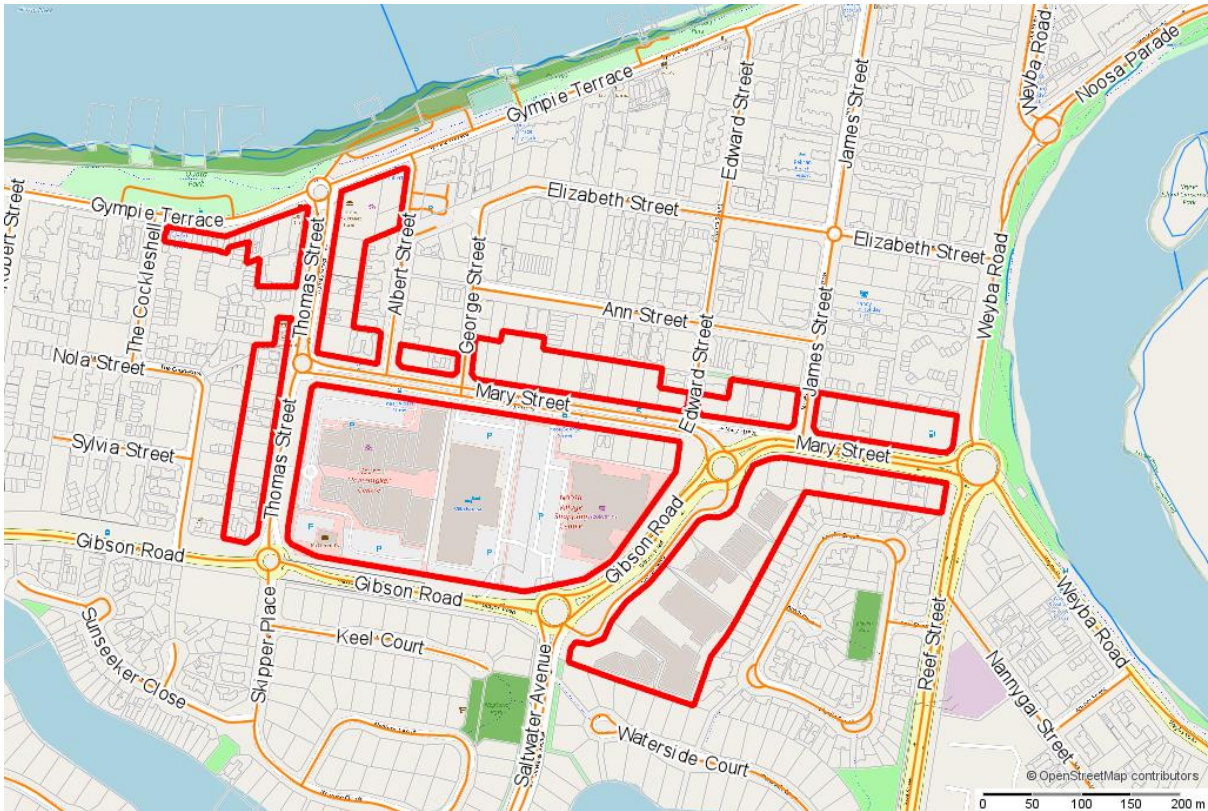
Map 3 Pomona



Map 4 Cooroy



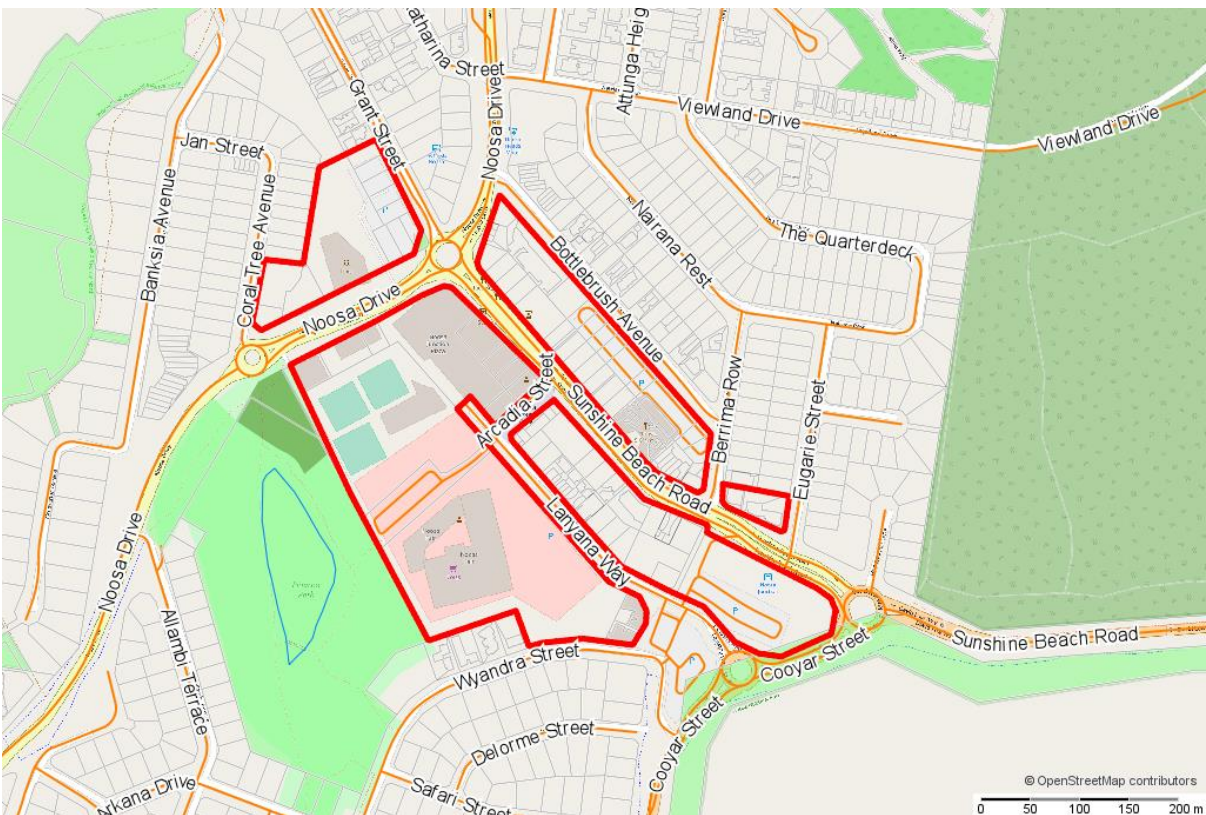
Map 5 Tewantin



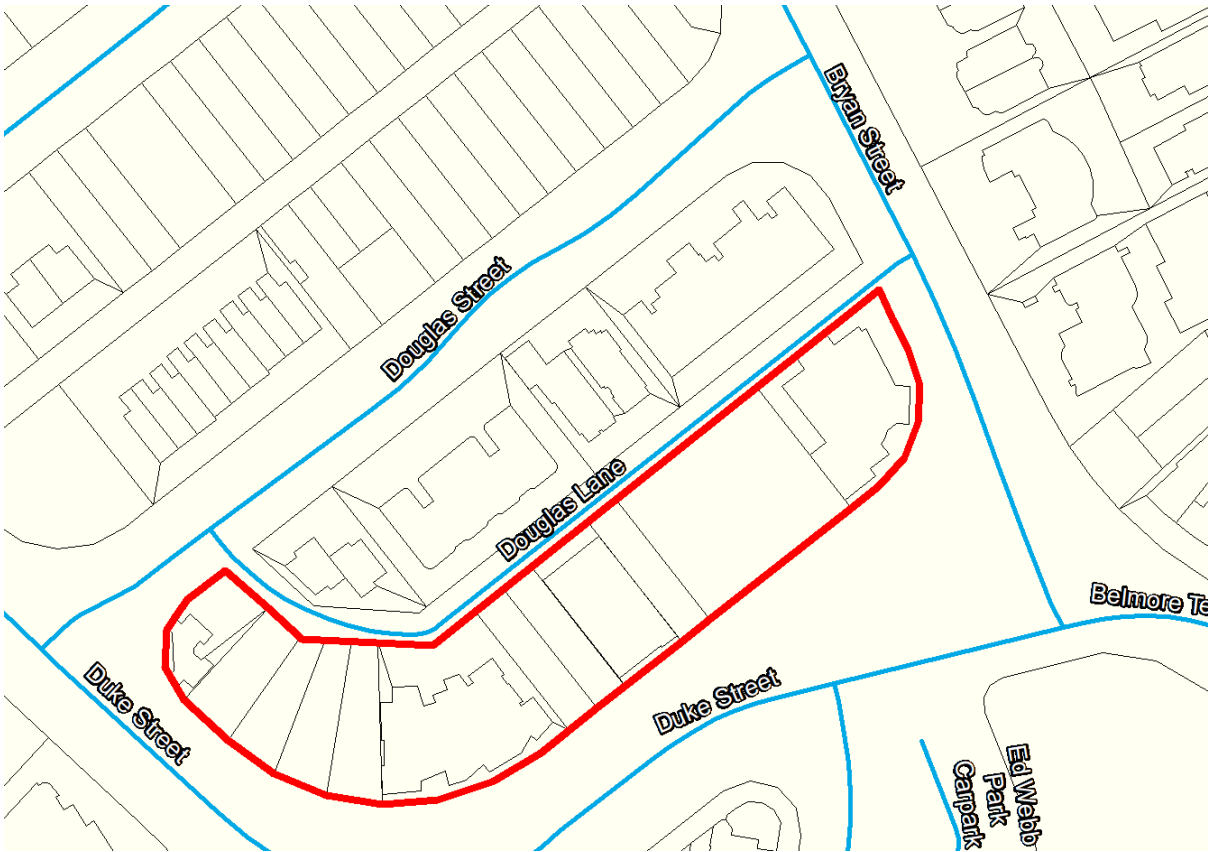
Map 6 Noosaville



Map 7 Noosa Heads – Hastings Street



Map 8 Noosa Heads – Noosa Junction



Map 9 Sunshine Beach



Map 10 Peregian Beach