	Function: DEVELOPMENT SERVICES	Adopted: 7 th October 2015 Resolution No.: C211:15
	Policy Number: DEV011	Last Review: 1 st September 2021 Resolution No.: C267:0921
	Version Number: 2.1	Next Review: As Required
CARPARKING FUND DISCRETIONARY POLICY		

Policy Statement

1. Introduction

- 1.1. Copper Coast Council (Council) is committed to ensure that appropriate carparking is provided for within the Township Main Street and Township Activity Centre Zones of the Copper Coast whilst promoting viable local business development opportunities.

2. Scope

2.1. Background

- 2.1.1. Onsite carparking is generally required for developments which generate the need for additional car parks. The number of onsite car parks required for a particular development is calculated in accordance with Planning and Design Code (and in the case of disabled parking, the Building Code of Australia).
- 2.1.2. Council has a number of existing sites within its Town Centre areas which are not capable of providing any or additional carparking spaces. This situation was created when the sites were developed in a time when different development standards applied compared to modern standards which resulted in the inadequate provision of onsite carparking. This situation creates difficulty in changing the use of a building to a use that requires additional short term parking provision (eg an office to a shop).
- 2.1.3. Where adequate onsite car parking cannot be provided as required, Council may or may not accept a cash contribution in lieu of the provision of car parks on the site. For this purpose, Council has gazetted a carparking fund as allowed for by repealed section 50A of the Development Act. In its current form this fund allows for the payment of \$8,500 into the fund per car park shortfall. Such funds are then to be used by **Council** to pay for shared parking provisions. This may include the provision of parking spaces within road reserves or the purchase of land for joint parking provision.
- 2.1.4. The carparking fund is an appropriate tool for facilitating development proposals. However, such a fee is more often than not proving to be detrimental and unviable for local business development that seeks to change the use of an existing building. Short lease terms and uncertainty in business success are contributing factors.

3. Council Commitment

- 3.1. The purpose of this Policy is to provide guidelines within which Council may waive the requirement for additional short term parking provision or contribution to Council's carparking fund at the discretion of the Chief Executive Officer on the

advice of the Director Development Services. This Policy seeks to support sustainable local business development within the Town Centres of the Copper Coast.

- 3.2. When discretionary powers are exercised by the Chief Executive Officer in accordance with this policy, the Elected Members will be informed of same at the next immediate Full Council meeting.

4. Objective of Policy

- 4.1. The objective of this *Policy* is to allow for the sustainable conversion of existing buildings within the Township Main Street and Township Activity Centre of the Copper Coast.

5. Applicable Legislation

- 5.1. This Policy is not a mandatory requirement but supports good governance.
- 5.2. The following legislation applies to this Policy:
 - 5.2.1. Planning Development and Infrastructure Act 2016
 - 5.2.2. Planning Development and Infrastructure (General) Regulations 2017.

6. Integration with Council Objectives

- 6.1. This Policy supports Council's Strategic Plan 2019 - 2029:
 - 6.1.1. Environmental Objective – Sustainability
Goal 2: To responsibly manage the natural and built environment to ensure its sustainability and diversity to the community
- 6.2. This Policy is also designed to complement the existing communication channels within Council, and operate in conjunction with other existing policies, including:
 - 6.2.1. Internal Review of Council Decision Policy

7. Definitions

For the purposes of this Policy, the following definitions apply:

- 7.1. **Carparking** space refers to a vehicle park that is compliant with AS2890
- 7.2. **Change in the use of the land** refers to the commencement or revival of a particular use of the land if –
 - 7.2.1. the use supersedes a previous use of the land; or
 - 7.2.2. the commencement of the use or the revival of the use follows upon a period of non-use; or
 - 7.2.3. the use is additional to a previously established use of the land which continues despite the commencement of the new use.
- 7.3. **Council's Carparking Fund** refers to Council's gazetted carparking fund pursuant to section 197 of the Planning Development and Infrastructure Act 2016

8. Application

- 8.1. This policy applies to the following locations as outlined within the Planning and Design Code:
 - 8.1.1. Township Activity Centre – Moonta
 - 8.1.2. Township Main Street Zone - Kadina
 - 8.1.3. Township Main Street Zone - Wallaroo

8.2. Council **may** resolve to waive the requirement to provide additional short term onsite carparking spaces or contribute to Council’s Carparking Fund should a change in the use of the land be proposed that meets each of the following criteria:

- 8.2.1. The change of use applies to an existing building where no expansion of this building is proposed or, alternatively, a new building is proposed where neither the total floor area nor the building footprint of the building intended to be replaced will be exceeded.
- 8.2.2. The site that is the subject of the development proposal has previously been used for commercial or retail purposes.
- 8.2.3. The development site cannot physically cater for additional carparking provision.
- 8.2.4. There is sufficient on-street parking available in the near vicinity.
- 8.2.5. The site that is the subject of the development proposal contained a building that was constructed prior to 18 June 2009 when the repealed section 50A Carparking Fund was first gazetted.
- 8.2.6. The new proposed land use is not a use that will require overnight parking such as tourist accommodation, hotel, motel or higher density residential uses.

9. Delegation

9.1. Any waiver relating to a shortfall in on-site carparks in a situation described within Section 8 of this report shall be at the discretion of the Chief Executive Officer on the advice of the Director Development Services and shall be properly recorded on file.

10. Adoption and Review

10.1. This Policy will be reviewed as required, with the review being undertaken by the Development Services Department and a report provided to Council for consideration and adoption.



11. Records Management

11.1. All documents, notes, photographs and correspondence must be retained and stored in accordance with Council’s adopted *Records Management Policy* as required by section 125 of the *Local Government Act 1999*.

12. Availability of Policy

12.1. This Policy will be available for inspection without charge at the Council’s Principal Office during normal business hours and via the Council’s website www.coppercoast.sa.gov.au.

12.2. A copy of this Policy may be obtained on payment of a fee in accordance with the Councils’ Schedule of Fees and Charges.

Signed		
	Mayor	Chief Executive Officer
Date	6 th September 2021	

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