

19/04/2013  
VC95

## SCHEDULE 2 TO THE PARKING OVERLAY

Shown on the planning scheme map as **PO2**.

### OAKLEIGH MAJOR ACTIVITY CENTRE AREA

#### 1.0

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#### **Parking objectives to be achieved**

To ensure the appropriate provision of car parking spaces in the Oakleigh Major Activity Centre and maintain a balance between car parking supply and demand in the centre..

To provide for cash-in-lieu payments for car parking provision.

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#### **Permit requirement**

In any permit that authorises or results in the extension of floor space or an increase in patron numbers the amount of car parking spaces determined by the Responsible Authority must be consistent with the amount specified in the Scheme for that use.

Unless car parking credits exist, a permit cannot be granted to reduce the car parking requirement for:

- Beauty salon / Hairdresser to less than 1 spaces to each work station
- Restaurant to less than 0.31 spaces to each seat available to the public
- Shop (other than Beauty salon / Hairdresser) to less than 3.1 spaces to each 100 sq m of leasable floor area.

Where car parking credits exist:

- the reduction in the amount of car parking must not be greater than the extent of the credit; and
- the quantum of the credit must be determined having regard to the rates set out in this Scheme.

A permit cannot be granted to reduce the car parking requirement for any other use, except dwelling, on the basis of:

- The availability of car parking in the locality;
- The availability of public transport in the locality;
- Any reduction in car parking demand due to the sharing of car spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;
- Any empirical assessment; or
- Any other relevant consideration.

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#### **Number of car parking spaces required**

If a use is specified in the Table below, the number of car parking spaces required for the use is calculated by multiplying the *Rate* specified for the use by the accompanying *Measure*.

#### **Table: Car parking spaces**

Use	Rate	Measure
Beauty salon / Hairdresser	1	Car space to each work station
Restaurant	0.31	Car spaces to each seat available to the public
Shop (other than Beauty salon / Hairdresser)	3.1	Car spaces to each 100 sq m of leasable floor area

All other uses in accordance with Column A of Table 1 in Clause 52.06-5.

#### 4.0 Financial contribution requirement

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A financial contribution in the amount of \$6,000 (plus GST) in respect of each car parking space or part thereof which is required under this Scheme and which is not provided on the land (but net of car parking credits) must be paid to the responsible authority.

The amount of \$6,000 (plus GST) is to be adjusted annually from 1 July 2008 using the CPI (all groups) as the index.

Until the Responsible Authority is paid contributions and/or an agreement has or agreements have been made under section 173 of the Planning and Environment Act 1987 guaranteeing future payment of contribution(s) for 195 car parking spaces, any permit for:

- the use of land for restaurant;
- the reduction of car parking spaces in connection with any use;
- the expansion of floor area of any use which results in more useable space for patrons;
- the issue of a new permit for an existing use which authorises a higher number of patrons within an existing or redeveloped building or increases the hours of use of an existing use; or
- the use or development of any land for a use in Section 1 or 2 of the Business 1 Zone (including innominate uses)

must contain a condition to the following effect:

*Before the use or development begins, a payment of \$6,000 (plus GST) indexed by CPI from 1 July 2008 must be paid to the responsible authority for:*

- *each car parking space or part thereof required under this Scheme, or*
- *where a rate is not specified, then the rate determined by the Responsible Authority and which cannot be provided on the land (net of car parking credits)*

or

*Before the use or development begins, the owner of the land must enter into an agreement under section 173 of the Planning and Environment Act 1987 in which the owner agrees to pay \$6,000 (plus GST) indexed by CPI from 1 July 2008 to the responsible authority for:*

- *each car parking space or part thereof specified under this Scheme; or*
- *where a rate is not specified, as determined by the Responsible Authority and which cannot be provided on the land (net of car parking credits).*

*The agreement may provide for the payment of the contribution in instalments plus an interest component equivalent to the interest payable on unpaid rates and charges under the Local Government Act 1989 and it must provide that all instalments and accrued interest are paid within 5 years of the first instalment.*

*The agreement must provide that the contribution is to be indexed according to the CPI (all groups) from 1 July 2008 until it is paid.*

*The agreement must also provide for the owner to pay Council's costs of preparing, registering and then upon its ending, deregistering the agreement.*

**5.0 Reference document**

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*Oakleigh Major Activity Centre Parking Precinct Plan (April 2007).*