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SCHEDULE 1 TO THE PARKING OVERLAY

Shown on the planning scheme map as **PO1**.

BENALLA CENTRAL BUSINESS AREA

1.0

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Car parking objectives to be achieved

To achieve a balanced outcome with respect to the provision of public and private car parking facilities throughout the Benalla Central Business Area.

To identify appropriate car parking rates for various land uses within the Benalla Central Business Area.

To provide for the collection of financial contributions to contribute to the construction of shared car parking facilities.

To provide the future orderly development of the Benalla Central Business Area and its environs, and improvements to public amenity.

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Number of car parking spaces to be provided

The required number of car spaces is shown in Column A of Table 1 in Clause 52.06, unless otherwise specified in the following table.

Table 1: Car parking spaces

Use	Rate	Measure
Child Care Centre	1.0	To each employee
		Plus
	0.1	To each child that is part of the maximum number of children on the site at any time
Industry	1.5	To each 100 square metres of net floor area
Medical Centre	4.0	To each practitioner
Motel	1.0	To each unit
		Plus
	1.0	To each resident employee
		Plus
	2.0	To each 100 square metres of service floor area not available for use by guests
Office	3.0	To each 100 square metres of net floor area
Restaurant	0.3	To each patron permitted

The responsible authority must specify the number of car spaces which must be provided for such (determined on a case-by-case basis) having regard to:

- Relevant State and local planning policies
- The results of surveys of local parking supply and demand
- Operational characteristics of the proposed use

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Reducing the provision of car parking

A permit may be granted to reduce the requirement for car parking spaces in accordance with Clause 52.06-3.

When a land use lawfully exists and the number of car parking spaces provided for that use (either on the same land or by formal approval on other land) is less than the number specified in Paragraph 2.0 above or in Clause 52.06, the number of car parking spaces that is less than the number specified shall be deemed to be a “credit”. Any such “credit” may be carried forward to assist in satisfying the car parking requirements for any future development (including redevelopment) or change or use of the land.

In addition to the provisions in Clause 52.06-6, the responsible authority may consent to a reduced provision of car parking spaces where there are two or more land uses on the land, which have staggered peak operational characteristics that result in a net reduction in overall car parking demand.

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Financial contributions requirement

If on any land affected by this Overlay the number of car parking spaces that are required for a proposed use (including a reduced requirement that has been determined by the responsible authority in a particular case) cannot be provided on the land, the responsible authority may consent to a discharge of this requirement by way of a financial contribution arrangement, under the following terms:

- The contribution must be paid to the responsible authority either prior to the commencement of the use, or by instalments on terms that are approved by the responsible authority.
- The contribution monies must be paid into a “Parking and Access Fund” established by the responsible authority, and may be used only for the development of public car parking facilities and other measures to address parking issues within the area affected by this Overlay.
- Except as provided below, the contribution must be paid at the rate of \$6431 per parking space. This amount is to be indexed on a compound basis at the end of each financial year, according to movements in either the Consumer Price Index or an alternative Producer Price Index published by the Australian Bureau of Statistics.
- The contribution rate must be reviewed by the responsible authority at least once every 3 years, and adjusted where appropriate to reflect changes which have occurred in land values and construction costs associated with the development of new car parking facilities.
- The establishment of a liability to contribute to the “Parking and Access Fund” must occur by way of conditions in a planning permit that authorises a reduced provision of car parking on the land. These conditions must include a requirement that an Agreement under Section 173 of the *Planning and Environment Act 1987* must be entered into between the responsible authority and the landowner, that:
 - Acknowledges that the contribution has been levied and paid.
 - Establishes a record that the land is benefited by the number of car parking spaces in respect of which the contribution has been paid.

The Agreement must be registered on the Title of the land, pursuant to Section 181 of the *Planning and Environment Act 1987*.

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Reference document

Benalla CBA Car Parking Precinct Plan, CPG Australia Pty Ltd, April 2011