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SCHEDULE 1 TO CLAUSE 45.09 PARKING OVERLAY

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

PAKENHAM ACTIVITY CENTRE

1.0

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Parking objectives to be achieved

- To manage car parking equitably and efficiently across the Pakenham Parking Precinct Plan Area.
- To consolidate and improve existing car parks to maximise the sharing of parking supply between different land uses.
- To encourage and improve public car parking provision, sustainable transport provision and travel within and to the Pakenham Activity Centre.
- To identify and provide for the collection of financial contributions to contribute to the construction of publicly-accessible off-street parking facilities within the Pakenham Parking Precinct Plan Area.
- To spread the cost of providing and upgrading infrastructure on an equitable basis.

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Permit requirement

None Specified.

3.0

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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 |
|-----|------|---------|
|-----|------|---------|

None specified

For all non-residential uses listed in Table 1 of Clause 52.06-5, the *Rate* in Column B of Table 1 in Clause 52.06-5 applies.

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Application requirements and decision guidelines for permit applications

The following application requirements apply to an application for a permit under Clause 45.09, in addition to those specified in Clause 45.09 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- An empirical car parking demand assessment, including the following:
 - A car parking plan including the number of car parking spaces provided currently on the land and wholly within title boundaries.
 - Any existing car parking reduction or waiver granted.
- Total maximum number of staff/patrons.
- Gross and net floor area of the existing use.
- Current hours of operation.
- Proposed hours of operation.

The following decision guidelines apply to an application for a permit under Clause 45.09, in addition to those specified in Clause 45.09 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Current and proposed hours of operation for the existing or proposed use.
- Gross and net floor area of the existing and proposed use.
- Details of any existing car parking reduction or waiver.

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Financial contribution requirement

Within the precinct defined in Map 1 in this schedule, the responsible authority may consider accepting a financial contribution in lieu of one or more car parking spaces required under Clause 45.09 and/or Clause 52.06.

Residential land uses excepting for camping and caravan parks, corrective institution, residential hotel, motel, hostel and group accommodation are exempt from paying the financial contribution.

The financial contribution rate is \$12,000.00 for each car space. The amount of contribution for each space specified above will be adjusted by the responsible authority on 1 July by applying the *Building Price Index (Melbourne) in Rawlinson's Australian Construction Handbook*. If that index is unavailable, an equivalent index will be applied by the responsible authority.

The financial contribution specified above must be made before the use or development commences unless a permit condition allows payments by instalments under the Section 173 agreement provisions of the *Planning and Environment Act 1987*. This 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.

Until the responsible authority is paid the financial contribution, the permit must contain one of the following two conditions:

Prior to the commencement of the use or development allowed under this permit a payment of \$12,000 (indexed annually by applying the *Building Price Index, Melbourne, in Rawlinsons Australian Construction Handbook*) must be paid to the responsible authority for each car parking space required, but not provided on the land.

or alternatively:

Prior to the commencement of the use or development allowed under this permit, the owner of the land must enter into an agreement under Section 173 of the *Planning and Environment Act 1987* with the responsible authority in which the owner agrees to a payment of \$12,000 (indexed annually by applying the Building Price Index, Melbourne, in *Rawlinsons Australian Construction Handbook*) must be paid to the responsible authority for each car parking space required, but not provided on the land.

All funds collected by the responsible authority must be utilised on any of the following public parking projects contained in the Pakenham Parking Precinct Plan (June 2019):

- Action 7: Upgrade to the Council owned James Street Car Park as Stage 1 (ensuring that the any upgrade allows for the development of the site for commercial, at the ground floor, providing for decked car parking on top) lighting improvements and ongoing maintenance.
- Action 8: Upgrade to the Council owned Drake Place car park, undertaking lighting improvements and ongoing maintenance.
- Action 9: Progress conceptual planning and design for the James Street and Drake Place car park sites and prepare cost estimates for financial contributions.
- Action 10: Deliver improved access to public transport, pedestrian connections and wayfinding signage, cycling paths and lanes, and end of trip facilities.

6.0 Requirements for a car parking plan

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None specified.

7.0 Design standards for car parking

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None specified.

8.0 Decision guidelines for car parking plans

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None specified.

9.0 Background document

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Pakenham Parking Precinct Plan (2019)

Map 1 Schedule to Clause 45.09

