

TOWN OF COTTESLOE – LOCAL PLANNING SCHEME NO. 3

LOCAL PLANNING POLICY No. 1 – PARKING MATTERS

A policy made pursuant to Part 2 of Local Planning Scheme No. 3

1. INTRODUCTION

This Local Planning Policy deals with particular parking matters under Local Planning Scheme No. 3 (LPS3) to supplement the Scheme provisions.

The Scheme contains certain parking provisions that involve discretion and require a policy to become operative, which this Policy addresses. Other Scheme provisions regarding parking, including any discretion, operate directly as part of the Scheme.

2. OBJECTIVE

To create a policy framework within which Council may exercise discretion regarding the details of Scheme provisions on particular parking matters, and which:

- Strikes a balance between the requirement to provide parking and the ability to grant concessions.
- Considers the nature, magnitude and composition of development in relation to parking requirements, demand and utilisation.

3. BACKGROUND

LPS3 in Part 2 provides for local planning policy as a vehicle to manage discretion in aspects of development proposals, and states:

A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.

4. REQUIREMENTS FOR POLICY

LPS3 in clause 5.8.3 specifies two parking discretions to be guided by policy:

Second paragraph – parking credit

In the Town Centre, Hotel, Foreshore Centre, Restricted Foreshore Centre and Development zones, when considering redevelopment or new development or change of use applications, the local government may credit towards the amount of parking required to be provided as specified in Table 3, the parking deficiency that an existing tourism use may have when calculated against those provisions applicable to the subject site and its uses under this Scheme, having regard to the size and shape of the land, the number and availability of parking spaces in the vicinity, the likelihood of traffic congestion, and the opportunity to improve the appearance, amenity, function and accessibility of the locality provided that the decision to credit such a deficiency is made in the context of a Local Planning Policy adopted pursuant to Part 2 of this Scheme. For the purposes of this clause, tourism use means the “Hotel”, “Motel”, “Short-stay Accommodation”, “Serviced Apartment”, “Small Bar” and “Restaurant” uses.

This means that there must be a policy in place in order for Council to consider granting a parking credit. A credit is at Council’s discretion and the Policy is designed to assist ascertaining the appropriateness and extent of credit for proposals.

5.8.3(c) – cash in lieu

Lead-in paragraph:

In the Town Centre, Foreshore Centre, Restricted Foreshore Centre, Hotel, Development and Residential Office zones, the local government may approve development without the required number of parking spaces being provided on the land, subject to the applicant making arrangements satisfactory to the local government enabling the local government to provide public off-street parking in the vicinity, equivalent to the deficiency in parking spaces; and in this regard the local government may accept cash in lieu of parking spaces on the land, subject to the following — ...

Operative paragraph:

the cash in lieu payment shall only be accepted by the local government after a Local Planning Policy has been adopted under Part 2 of this Scheme which identifies the planned infrastructure including the land upon which it is planned to be located and the planned timing of expenditure of payments made under this clause;

This means that there must be a policy in place in order for Council to consider accepting cash in lieu, for allocation to planned parking provision over time. Cash in lieu is at Council’s discretion and the Policy is designed to assist ascertaining the appropriateness and extent of cash in lieu for proposals and how the funds are to be utilised.

Parking reductions

In addition to the above two matters, LPS3 in Schedule 13, Variations to site and development standards and requirements, provides as follows:

Parking (clause 5.8, Table 3 Vehicle Parking Requirements):

Subject to the following, the parking requirements set out in Table 3 may be varied, so as to reduce the number of parking spaces required in respect of a particular development by up to 20% of the number of parking spaces that would otherwise be required by the application of the provisions of Table 3, subject to the provision of a traffic impact assessment, to the satisfaction of the Council, addressing the matters referred to in clause 5.5.4(c).

In this respect clause 5.5.4(c) reads:

...if the local government is satisfied that the non-compliance will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

The Policy provides guidance in applying this provision, which is at Council's discretion, in terms of the appropriateness and extent of parking reductions for proposals.

5. APPLICATION OF POLICY

This Policy responds to the details of the three parking matters identified above where guidance is required in the exercise of discretion under the Scheme.

It applies only to the zones or aspects described therein and at the discretion of Council.

Council may apply the policy in assessing planning proposals, to consider them against the intent and provisions of the Policy in ensure that the Scheme requirements are appropriately determined.

6. POLICY PROVISIONS

Parking credit (clause 5.8.3):

- The concept of a parking credit is that if an existing approved tourism use/development has managed with its present parking supply, the deficiency between that amount of parking and what it would now have to provide under LPS3 may be credited towards the parking that a proposal for the site is required to provide under LPS3.

- Although the provision indicates crediting the full deficiency, the assessment criteria connote that a partial credit may be determined.
- This credit capacity applies to the Town Centre, Hotel, Foreshore Centre, Restricted Foreshore Centre and Development zones only and to the nominated tourism uses only.
- The provision may apply to successive proposals for a site during the life of LPS3.
- The Scheme specifies parameters for Council to exercise discretion to grant a parking credit, and the following table sets out how Council will operate this provision having regard to related factors as indicated.
- For a proposal seeking a parking credit, the applicant shall submit for Council consideration a traffic and parking statement addressing the relevant criteria.
- The percentage in the table refers to the maximum percentage of the total parking deficiency that Council may grant as a credit – it does *not* refer to the percentage of the total parking requirement that may be credited.

ZONES:	Town Centre	Hotel	Foreshore Centre	Restricted Foreshore Centre	Development
CRITERIA:					
Redevelopment or new development.	Up to 100% credit depending on nature of redevelopment, as ample public parking is available, but intensive uses generate demand.	Up to 50% credit depending on nature of redevelopment, as the site is limited and intensive uses generate demand, while ample public parking is available.	Up to 50% credit depending on nature of redevelopment, as ample public parking is available, but intensive uses generate demand.	Up to 75% credit depending on nature of redevelopment, taking into account that parking is limited.	Up to 75% credit depending on nature of redevelopment, where parking can be accommodated by structure planning and new development.
Change of use.	Up to 100% credit depending on nature of change of use.	Up to 50% credit depending on nature of change of use.	Up to 50% credit depending on nature of change of use.	Up to 75% credit depending on nature of change of use.	Up to 50% credit depending on nature of change of use.
Parking deficiency of existing tourism use.	Determined from Town's records and applicant's evidence.				

Size and shape of the land.	Mainly smaller, narrower-frontage lots, with some larger lots.	Single large lot, with heritage hotel and rear alfresco addition.	Range of smaller to larger lots, mostly corner sites; with numerous strata titles.	Consistent with residential lots in each street.	OBH street block comprises multiple lots and mixed ownership. Other Development Zones comprise very large, mainly single parcels.
Number and availability of parking spaces in vicinity.	Good supply of public parking.			Good supply of public parking, but residential street parking restrictions.	OBH street block is near good supply of public parking. Other Development Zones are near varied limited supplies, with some potential for increases.
Likelihood of traffic congestion.	High traffic locality.				OBH street block and Railway lands are in high traffic localities. Former depot site will be residential traffic only. Major development on Gibney Street sites would generate considerable traffic.
Opportunity to improve appearance, amenity, function and accessibility of locality.	Depends upon nature of proposal, design of any development and Scheme requirements.				

Note: For the purposes of this table, tourism use means the “Hotel”, “Motel”, “Short-stay Accommodation”, “Serviced Apartment”, “Small Bar” and “Restaurant” uses.

Cash in lieu (clause 5.8.3(c):

- Cash in lieu of on-site parking for uses or developments is a conventional town planning measure, as provided for in LPS3.
- This is not intended to replace the primary requirement for development to provide parking on site, but is a mechanism to facilitate desirable development if that is constrained.
- Cash in lieu applies to the Town Centre, Foreshore Centre, Restricted Foreshore Centre, Hotel, Development and Residential Office zones only.
- The Scheme specifies parameters for Council to exercise discretion to grant cash in lieu, and the following table sets out how Council will operate this provision having regard to related factors as indicated.
- The feasibility of each parameter varies according to the nature of the proposed development, the circumstances of the zone and locality, land availability and related factors.
- The percentage in the table refers to the maximum percentage of the total parking requirement that Council may grant as cash in lieu.

ZONES:	Town Centre	Foreshore Centre	Restricted Foreshore Centre	Hotel	Development	Residential Office
CRITERIA:						
Public off-street parking in vicinity.	Good supply of public parking.	Good supply of public parking.	Good supply of public parking.	Good supply of public parking.	Good supply of public parking for Development Zone 'A' (OBH site).	Good supply of public parking.
Deficiency in parking spaces.	Maximum 25% as determined by Council.	Maximum 25% as determined by Council.	Maximum 20% as determined by Council.	Maximum 20% as determined by Council.	Maximum 25% as determined by Council.	Maximum 20% as determined by Council.
Planned infrastructure including land.	New surface or multi-level car parks, including basements, under-crofts or decks.	New car parks integral to buildings/sites, including basements, under-crofts or decks.	New car parks integral to buildings/sites, including basements, under-crofts or decks.	New car parks integral to building/sites, including basements or under-croft.	New surface or multi-level car parks, including basements, under-crofts or decks.	New car parks integral to buildings/sites, including basements or under-crofts.

Planned timing of expenditure	Upon development of Council or private land.	Upon development of private land.	Upon development of private land.	Upon any relevant development of the OBH site.	Upon development of private, Government or institutional land.	Upon development of private land.
Public parking stations on Town-controlled land.	Council car park corner Station and Railway Streets and eastern car park on Station St – decked parking. Surface or decked parking along Railway Street near train station.	Possible decked parking at rear of development along Marine Parade.	Possible surface car park, subject to traffic control and residential amenity.	Not applicable to Cottesloe Beach Hotel site.	Surface or decked parking integral to development of these sites, subject to good access and quality design.	Surface or decked parking, subject to good access, quality design and mixed-use amenity.
Public transport infrastructure on Town-controlled land.	Provision for local bus, taxi or shared bike facilities.	Provision for local bus, taxi or shared bike facilities. Cott Cat bus stops and signs.	Provision for local bus, taxi or shared bike facilities, subject to residential amenity.	Provision for local bus, taxi or shared bike facilities. Cott Cat bus stops and signs.	Provision for local bus, taxi or shared bike facilities. Cott Cat bus stops and signs.	Provision for local bus, taxi or shared bike facilities.
Land in lieu of cash in lieu, identified for public parking.	Council will consider land capable of parking development.	Council will consider land capable of parking development, which does not front Marine Parade.	Council will consider land capable of parking development, which does not front Marine Parade, subject to residential amenity.	Not applicable to Cottesloe Beach Hotel site.	Council will consider land capable of parking development, which is well-located and, accessible, subject to residential amenity.	Council will consider land capable of parking development.

Note: The maximum % of parking bays Council may permit as cash in lieu relates to:

- *The parking requirement generated by the nature of the use and magnitude of the development.*

- *The demands for parking from the development and in the locality.*
 - *The physical scale and form of development in relation to the site and surrounds.*
 - *The affects on the amenity of the development and surrounds.*
- For the **Town Centre** zone, the sites in the following table are the main opportunities to provide additional parking in substantial quantities.
 - Each can be examined in detail in terms of land area, bay yield, levels of parking, type of development if combined with parking, indicative designs, estimated cost, approval/construction processes, funding and timeframe.
 - Previous studies can be drawn-upon as a basis for formulating firmer concept proposals for further consideration.

Site	Ownership	Actions
Station Street Car Park west, corner Railway Street.	Council.	Formulate a three-storey mixed-use development proposal with at least 50 on-site parking bays. Consider options for funding and development.
Station Street Car Park east, near Stirling Highway (former sump site).	Council.	Formulate designs for either a decked car park or a three-storey mixed-use development proposal with surface and/or decked public parking. Subject to relocation of drainage infrastructure under street.
Private property redevelopments such as Station Street both sides and south of Jarrad Street.	Various.	Liaise with landowners and developers to facilitate and Co-ordinate the provision of on-site and off-site parking.
Public Transport Authority (PTA) parking areas.	Crown railway reserve.	Renegotiate the lease of the PTA parking area along Railway Street to be at no or low cost. Liaise with the PTA to formalise the linear parking west of the railway line behind the Western Power sub-station, for workers, to be developed, maintained and managed by the Town.
Government land south-east corner of Curtin Avenue and Jarrad Street west of railway line.	Unvested Crown reserve.	Seek a lease over the unvested Crown reserve on the south-east corner of Curtin Avenue and Jarrad Street for surface parking,

		for workers. Prepare a design with attention to vehicular ingress and egress, pedestrian routes internally and externally, and landscaping and signage.
--	--	--

- For the **Residential Office** zone between Forrest and Vera Streets north of the Town Centre, Council may consider cash in lieu being obtained and directed to the following provision of parking:
 - Station Street car park opportunities as outlined above.
 - Extension northward of the car park on the Railway Street road reserve alongside the railway.
- For the **Foreshore Centre, Restricted Foreshore Centre, Hotel and Development ‘A’** (OBH site) zones comprising the beachfront locality, Council may consider cash in lieu being obtained and directed to the following provision of parking:
 - Improvement and rationalisation of Car Park No. 1.
 - Improvement, rationalisation and possible decking of Car Park No. 2.
 - Parking on the railway land with a shuttle bus service to the beachfront.
- The table below elaborates on Council’s intentions for the planning, provision and improvement of public parking in the main beachfront / foreshore precinct.

Planned Beachfront / Foreshore Precinct Parking Improvements

Planned infrastructure.	Land upon which it is planned to be located.	Planned timing of expenditure of payments.
Redeveloped and possibly reconfigured road reserves and on-street* parking in relation to road system serving all modes of movement, having regard to adjacent private development and public spaces.	Marine Parade and Forrest and Napier Street reserves, as may be modified.	2015-2017; or when sufficient cash in lieu funds are available to support the project.
Redeveloped car park west of Marine Parade in relation to main beach and foreshore area.	Car Park 1	2015-2017; or when sufficient cash in lieu funds are available to support the project.
Redeveloped car park east of Marine Parade in relation to John Black Dune Park.	Car Park 2	2015-2017; or when sufficient cash in lieu funds are available to support the project.

** Note: while cash in lieu looks to off-street parking, parking in this precinct substantially involves on-street parking and road reserve land in providing public domain parking infrastructure. The redesign and*

upgrade of the precinct may entail realigned roads, new parking layouts and improvements for pedestrians and cyclists.

- For **Development Zone 'B'** (former depot site) approved to be subdivided for residential development, cash in lieu is not applicable.
- For **Development Zone 'C'** (Wearne Hostel site), **Development Zone 'D'** (WAIDE site) and **Development Zone 'E'** (railway lands), cash in lieu may be applicable subsequent to future structure planning, subdivision and development proposals.

Parking reductions (Schedule 13):

- Consideration of granting a parking reduction is informed by clause 9.2(c) of the Scheme regarding application requirements, which provides for:
any specialist studies that the local government may require the applicant to undertake in support of the application, such as traffic, heritage, environmental, engineering or urban design studies;
- As well as by clause 10.2.2 regarding matters to be had regard to, which includes:
whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles; and
the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- The Scheme specifies parameters for Council to exercise discretion to grant parking reductions, and the following table sets out how Council will operate this provision having regard to related factors as indicated.
- For a proposal seeking a parking reduction, the applicant shall submit for Council consideration a traffic and parking statement addressing the relevant criteria.
- The percentage in the table refers to the maximum percentage of the total parking requirement that Council may grant as a reduction.

CRITERIA:	Traffic impact assessment to Town's satisfaction.	Amount up to 20% of parking spaces to be reduced.	Other relevant considerations.
EFFECTS ON:			
Occupiers or users of the development.	Parking needs and effects of occupiers or users of the development.	High impact proposals will be ineligible for a parking reduction.	<p>The larger the use or development the greater the parking requirement, hence the greater number of parking spaces in a reduction – and conversely – in terms of the degree and effect of any reduction.</p> <p>For major development, the traffic study must address the provision and form of parking on-site, on-street and nearby, including the effect on the supply of public parking.</p> <p>In activity areas such as the Town Centre or beachfront, more intensive development will progressively increase traffic generation and parking needs.</p> <p>In the Local Centres and Residential Office localities the availability of business parking is limited and street parking including for nearby residences requires management.</p>
Inhabitants of the locality.	Traffic and parking effects and patterns in relation to residents and users/visitors.	Moderate impact proposals may be eligible for up to a 10% parking reduction.	
Likely future development of the locality.	Indicated by zoning, development proposals and planned road or public domain changes.	Low impact proposals may be eligible for up to the 20% parking reduction.	
Nature of proposed use.	Traffic generation and parking demand depending on type, magnitude and days/hours of use.		
Likely volumes of goods or materials and numbers of people moving to or from the land.	Traffic and parking implications of deliveries, waste removal, service vehicles, staff and visitors.		
Likelihood of traffic congestion on roads or in public places in the locality.	Traffic circulation and flow to access the development and parking areas, including peak periods.		

Resolution date:	27 October 2014
Advertised:	'Post' newspaper, 1 and 8 November 2014
Review and Finally Adopted by Council:	15 December 2014
Amended:	27 July 2015