

# Manner and Form - Payment in Lieu of Parking Plan

## Important Instructions:

This Manner and Form Document, Payment in Lieu of Parking Plan, has been approved by the Western Australian Planning Commission (WAPC) under the provisions of clause 77J(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015* on *<insert date the Manner and Form template was approved by the WAPC - dd/mm/yyyy>*.

All Payment in Lieu of Parking Plans, required under clause 77J, shall follow the Manner and Form template set out below. Further information is available in the *Payment in Lieu of Parking Plan – Explanatory Guidelines*.

## 1. Introduction

### 1.1 Regulatory compliance

This Payment in Lieu of Parking Plan (the Plan) has been created under Schedule 2, Part 9A of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) and has been prepared in the Manner and Form approved by the Western Australian Planning Commission (WAPC).

### 1.2 Purpose

This Plan, together with the Regulations, governs the application of payments in lieu of providing car parking for development in the area(s) identified in this Plan. This plan outlines the purposes for which payment in lieu of car parking will be used in the areas(s) identified and how money collected will be administered.

### 1.3 Operational dates

The Plan commenced operation on *⟨Insert Date – Day after Publication of Notice of Adoption – clause 77N(1)(a)⟩*.

The Plan will cease operation on *⟨Insert Date⟩*, being 10 years from the operational date, unless extended in writing by the WAPC prior to the expiry date.

**NOTE:** The Operational period of the plan is 10 years without the written agreement of the WAPC. An extension **must be sought and granted** before the date the Plan ceases operation. Where a plan has been extended the details are to be inserted below.

*⟨This operational date of the Plan has been extended by the WAPC until dd/mm/yyyy. - clause 77N(1)(b)⟩*.

### 1.4 Amendments to the Plan

Amendments to the Plan shall be made in accordance with clause 77M and the current version shall be published in accordance with clause 77L.

A record of amendments to the Plan shall be maintained in the table below:

Amendment No	Date	Comment

### 1.5 Objectives of the Plan

The Plan has the following objectives:  
*⟨insert specific objectives of this Plan⟩*

*Refer Payment in Lieu of Parking Plan – Explanatory Guidelines for further information.*

### 1.6 Linkages to relevant adopted planning documents

The Plan supports the implementation of the following documents and the Integrated Planning and Reporting framework:

*⟨insert list of relevant documents and Integrated Planning and Reporting Framework (IPR) documents – refer to and discuss local planning strategy (identify applicable sections), local planning scheme, precinct structure plan, standard structure plan, local development plan and/or local planning policy as well as IPR documents such as the 10-year financial plan and adopted project business case for infrastructure referred to in this Plan⟩*.

*Refer Payment in Lieu of Parking Plan – Explanatory Guidelines for further information.*

## 2. Terms used

The terms used in the Plan have the same meaning as in the Regulations. In this Plan, the additional terms mean:

*⟨insert terms and associated meanings – if additional terms are to be included in the Manner and Form document, as approved by WAPC⟩*

## 3. Parking plan application and area

This Plan relates to the area specified in Section 3.1. Moneys collected within the Plan area must be spent in the Plan area.

### 3.1 Maps (s)

*⟨Include a list of the maps (Map and Title) included in this section⟩*

#### Index Map

*⟨if the Plan relates to multiple areas include an index map (as a legend) identifying each distinctive area or sub-area⟩*

#### Individual Area Map(s)

*⟨Identify the boundary of the Plan area on the map – the map must clearly show all properties which lots are located within the Plan area⟩*

*⟨identify on the map the location of parking infrastructure, other transport infrastructure and/or ancillary purposes to be funded in each Plan area⟩*

*⟨use a legend on the map to identify each location/item payment-in-lieu can be expended in the Plan⟩*

*Refer Payment in Lieu of Parking Plan – Explanatory Guidelines for further information, including example Plan maps.*

## 4. Reasonable estimate of costs for payment-in-lieu

*Refer Payment in Lieu of Parking Plan – Explanatory Guidelines for further information.*

### 4.1 Calculation of reasonable estimate of costs

*⟨insert calculation of reasonable estimate of costs – to be expressed in dollars for the applicable identified area or sub-area within the Plan applying the method(s) of cost calculations approved by the WAPC⟩*

#### **Important Instructions:**

In accordance with clause 77H, the Plan must clearly set out the **application** of the method(s) of the calculation for the reasonable estimate of costs which has been determined by the WAPC (as published in the Gazette).

*⟨insert applicable date of cost estimate information or date of revised cost estimate information⟩*

### 4.2 Revisions to reasonable estimate of costs

The Reasonable Estimate of Costs in this Plan can be revised by a Local Government from time to time using the method(s) approved by the WAPC (as published in the Gazette). Revised Estimates of Cost are to be published in the updated version of the Plan in Section 4.1, together with a note confirming the date of inclusion of the revised estimate.

Note: Where the method of calculation includes infrastructure costs, a local government can use a recognised construction cost publication (e.g. Rawlinsons Construction Cost Guide) to establish the construction cost escalation factor. However, the Plan will still need to be updated to show the current revision to the Reasonable Estimate of Costs.

### 4.3 Attribution of costs

*⟨Include this clause – where attribution of costs applies to a Payment in Lieu of Parking Plan relating to different items. Refer Payment in Lieu of Parking Plan – Explanatory Guidelines for further information⟩*

## 5. Purposes for which payment-in-lieu will be applied

*Refer Payment in Lieu of Parking Plan – Explanatory Guidelines for further information.*

In accordance with clause 77I(2), money collected under the Plan must be applied for the purposes set out below:

### 5.1 Public car Parking Infrastructure

*⟨Insert the **Public Car Parking Infrastructure** items that Payment-in-Lieu will be used for under this plan (can include provision and maintenance) – and their reference location on the Plan Map⟩*

*⟨If the Plan applies to several distinct sub-areas which have unique public car parking infrastructure items – include individual lists for those sub-areas as identified on the relevant Plan Sub-area Map⟩.*

### 5.2 Other Transport Infrastructure

*⟨Insert the **Other Transport Infrastructure** items that Payment-in-Lieu will be used for under this plan – this can include provision and maintenance for public transport infrastructure and items supporting active transport such as bike paths/lanes and footpaths⟩*

*⟨If the Plan applies to several distinct sub-areas which have unique Public Transport Infrastructure items – include an individual list for those sub-areas as identified on the relevant Plan Sub-area Map⟩.*

### 5.3 Ancillary or Incidental Purposes

*Insert the **Ancillary or Incidental Purpose** items that Payment-in-Lieu will be used for under this Plan.*

## 6. Other information required by the WAPC

*Refer Payment in Lieu of Parking Plan – Explanatory Guidelines for further information.*

*Insert the information that has been required by the WAPC under this Plan. Delete this section if no other information has been required by the WAPC.*

## 7. Operation

*Refer Payment in Lieu of Parking Plan – Explanatory Guidelines for further information.*

### 7.1 Operational requirements

The Plan shall operate in accordance with Part 9A of the *Regulations*.

### 7.2 Triggers for payments to be made

Payment of money shall be made to the Local Government to satisfy a payment in lieu of car parking condition validly applied to a development approval for development located in the area subject to the Plan. The payment in lieu of car parking condition applied to the development approval shall specify when the Local Government requires payment of monies to be made.

### 7.3 Decision-making on Development Applications using this Plan

Decision makers are to have due regard to the Plan when making decisions on development applications that seek or require consideration of Payment in Lieu of Car Parking under the Plan.

**NOTE:** Local governments may adopt local planning policies or explanatory guidance on how it will consider variations to on-site parking requirements in accordance with the Schedule 2 of the Regulations, which may also detail how payment in lieu is to be considered and applied to individual developments. This may be across a Scheme Area or based on individual centres. Should this be the case, the Plan should note the existence of such guidance in this section of the Plan to aid decision makers.

## 8. Financial Administration (clause 77I)

### 8.1 Reserve Account to be established and maintained

The local government shall establish and maintain a Reserve Account for money collected under the Plan (clause 77I(1)). The Reserve Account shall be established under the provisions of the *Local Government Act 1995*, Section 6.11. The reserve account shall be operated in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996*.

### 8.2 Interest earned

Interest earned on the Reserve Account under the plan shall be treated in accordance with clause 77I.

### 8.3 Records to be kept

Records of income and expenditure for the Reserve Account established under the Plan shall be maintained by the local government until all funds have been expended or repaid.

### 8.4 Reporting

Report of the Reserve Account shall be provided in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996*.

## 8.5 Invoice for payment of money

In addition to a payment-in-lieu of parking condition applied to a development approval under clause 77H, the local government shall issue an invoice to the payer at the appropriate time to enable the payer to satisfy the condition of development approval. The invoice shall specify the method and timing for payment of the money required to satisfy the payment in-lieu of parking development approval condition.

## 8.6 Money held in the Reserve Account at the expiry of the Plan

Money held in the Reserve Account at the Expiry of the Plan shall be treated in accordance with clause 77I(5), (6) and (7).

The Department of Planning, Lands and Heritage acknowledges the traditional owners and custodians of this land. We pay our respect to Elders past and present, their descendants who are with us today, and those who will follow in their footsteps.

### Disclaimer

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