

Title: **Car Parking - General**
Policy No: 003
Adopted By: Council
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Responsibility: General Manager City Futures
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1	20\2501	23/02/10	Adopted
2			
3			
4			

1 Policy Summary

To ensure the efficient operation of Council owned on-and off-street parking facilities so that over a predetermined time frame the operating costs are met by the users.

To provide a framework for car parking policies introduced to complement the Council's car parking strategies and contribution plans. This policy addresses:

- Car Parking Contribution - Guidelines For Time Payment
- Car Parking Levy Exemptions
- Parking Agreement – Periodic Hire
- Parking Schemes Within Road Reserves

2 Policy Objectives

The overall objective of City of Darwin's car parking policies is to facilitate and supply a sufficient amount of on-street and off-street parking to minimise the adverse affects on residents, shoppers, traders, commuters and visitors and to produce outcomes consistent with other economic, development and planning goals.

3 Background

City of Darwin has developed strategies and car parking contribution plans to facilitate and supply a sufficient amount of on-street and off-street parking within the City. From time to time other policies have been, or will be, adopted to complement these plans.

4 Policy Statement

Car parking Contribution - Guidelines For Time Payment

City of Darwin permits the time payment of car parking contributions pursuant to requirement of the Planning Act, subject to approved procedures, and further that, Council seek to ensure that suitable legislation is put in place to provide that any unpaid monies arising from car parking waivers pursuant to the Planning Act remain a charge upon the land in question.

The Council will permit arrangements to be entered into by developers required by an instrument of determination to pay cash contribution in lieu of on site parking.

The arrangement to be secured by bank guarantee only.

Payments will be made in equal six (6) monthly installments up to a 10 year period with the first installment payable prior to the issue of the certificate of occupancy. Payment periods in excess of 10 years will be subject to Council consideration.

Interest be charged on the balance of the deferred payment at Council's banker's lowest general overdraft rate and such interest be calculated monthly.

The policy adopted to administer time payments be reviewed each three years.

Council seeks to ensure that suitable legislation is put in place to provide that any unpaid monies arising from car parking waivers pursuant to the Planning Act become a charge upon the land in question.

City of Darwin, in relation to unpaid car parking contributions pursuant to requirements of the Planning Act, will charge interest on the balance of the unpaid contribution, commencing on the date of determination of the contribution liability, at Councils' bankers' lowest general overdraft rate and such interest shall be calculated monthly on the outstanding balance owing until such time as the contribution plus accrued interest is paid in full.

City of Darwin may in its absolute discretion withhold consent or approval of any development where interest remains unpaid in relation to unpaid or deferred car parking contributions pursuant to the requirements of the Planning Act.

Annual Car Parking Levy Exemptions

Council will apply the provisions of the Local Government (Darwin Parking Local Rates) Regulations. and in exceptional circumstances will consider lower standards for a limited period to allow necessary upgrading.

Council may by specific decision exempt owners of properties from the payment of the City of Darwin Annual Car parking Levy from time to time where sub-standard parking bays exist subject to the property owners giving written undertaking to upgrade all car parking spaces to approved standards over a period to be fixed by Council.

Should the car parking area referred to not be completed by the approved time, Council will continue to impose the annual car parking levy, as well as recover the outstanding levy amount accrued during the exemption period.

Should no written undertaking be received agreeing to the above, then no exemption will be granted and Council will continue to impose the car parking shortfall levy.

Council has exempted the owners of the following properties from the need to comply with the Local Government (Darwin Parking Local Rates) Regulations:

Lot 2340 Cavenagh Street
Lot 2347 Smith Street
Lot 2350 Smith Street
Lot 5565 Smith Street
Lot 2312 Smith Street
Lot 2299 Smith Street
Lot 2406 Smith Street
Lot 2330 Cavenagh Street
Lot 1427 Gardiner Street
Lot 1431 Knuckey Street
Lot 1419 Gardiner Street
Lot 1372 McLachlan Street
Lot 1382 Shepherd Street
Lot 2338 Cavenagh Street
Lot 1400 Lindsay Street

Parking Agreement – Periodic Hire

Persons requiring regular access to Council's off-street car parks for periods from one month to twelve months may enter into a Parking Agreement.

Parking Schemes Within Road Reserves

1. Council does not generally approve of Parking Schemes within the road reserve where a need is demonstrated in relation to a private development.
2. Developers who elect not to provide parking within their property as required under the NT Planning Scheme will be required to pay an up-front payment in accordance with the NT Planning Act.
3. However, Council, in considering a request to construct and use parking facilities on Council land, would take into account the following matters:
 - 3.1 The degree of public benefit offered by the proposal, which may be in the form of additional and/or upgraded car park facilities available for public use.
 - 3.2 The impact of the proposal on the streetscape.
 - 3.3 Future car parking needs and impact of the proposal on orderly growth and development in the area.
 - 3.4 Any other matter as it sees fit.

4. Generally, the process outlined below is to be followed in cases where approval is granted for a developer to construct and use a car park within Council road reserve or on Council owned land:
 - 4.1 Where a proposal relates to road reserve, Council to initiate a road closure for the area required for the car park. The developer is required to make an upfront payment to Council to cover all costs associated with the closure.
 - 4.2 If ministerial approval is given, then the closed road would revert to freehold title, under Council ownership.
 - 4.3 Where a proposal relates to land owned by Council, unless otherwise agreed, construction should be carried out by the Developer at no cost to Council.
 - 4.4 Generally, the Developer will be required to: enter into an agreement with Council to lease some of the spaces within the car park for a period of time (i.e 15-20 years) at a nominal rental which is subsequently reviewed to market. Council may require an encumbrance to be placed on the land title of a development which relies on car parking spaces being provided by way of the above agreement.
or
Unit title the car park, which would permit some bays to be owned by the Developer with Council retaining ownership of bays for public parking.
 - 4.5 Council must be satisfied that all necessary agreements relating to the construction and ongoing use of the proposed car park are in place, prior to the Developer making an application to the Northern Territory Planning Authority for planning approval.
5. Developers who have existing Planning approval and wish to upgrade car parking to meet present NT Planning Scheme requirements will be required to pay full costs of the parking scheme where approved.
6. The General Manager City Operations is authorised to approve parking schemes under Council's Parking Scheme Policy according to the guidelines approved by Council.

The developer will provide full design drawings, quotes or estimates and quantities to the General Manager City Operations for approval prior to construction commencing. It will be the developer's responsibility to contact all service authorities and bodies affected by the scheme and obtain relevant approvals.

Two copies of these drawings will be needed, one to be retained by the Council and the other to be the approved plan returned to the developer.

The General Manager City Operations will consider the effect of the development on:

- the likely future development of the area in question
- other service authorities and services
- traffic volumes,

- proximity to intersections,
- sight distance,
- number of access points required; and
- and possible conflict points.

Design Criteria

The parking scheme is to generally follow the requirements of and conform with the relevant Australian Standards and national and local guidelines.

- A 2.5 metre through traffic lane over and above the turning requirements is to be maintained on all major roads. The General Manager City Operations will take into account the roads hierarchy traffic volumes and types and future development of an area in determining whether a road is or will be a major road.
- A barrier kerb will be used to surround the parking area and its shape will be consistent with existing kerb in the road reserve.
- A minimum 20mm depth bituminous concrete surface course and 150mm minimum depth pavement will be used in construction of the parking area. The design to conform specifications, currently in use by Council.
- Line marking of the parking area will be required to Council's satisfaction. The line marking to generally conform with the specifications as stated in the Australian Standards.
- The parking area to be adequately drained, crossfalls will vary between 5% and 2%. However, crossfalls other than the above will be considered should the site conditions not suit at the discretion of the General Manager City Operations.
- The parking area to be constructed immediately in front of the developer's property and access to that property will be adequately delineated and kept clear at all times.
- Large areas of parking will be broken with traffic islands and suitably landscaped. As a general rule, a traffic island will be required approximately every 20 parking bays.
- A minimum clearance of 2 metres between the kerb line of the parking area and the property boundary will be retained.
- Existing services such as footpaths, water mains, sewerage mains and driveways, will be retained or relocated where necessary.
- The parking area will be suitably landscaped to the approval of the General Manager City Operations and all vegetation will be maintained by the property owner.

An agreement, specifying Council's requirements for the use of the road reserve as car parking by the developer, will be entered into between Council and the developer, should the developer require the car parking because of Planning requirements.

Upon completion, this Council will assume responsibility for the car parking area and will manage and maintain the car parking area.

5 Legislation, terminology and references

The NT Local Government Act provides the basis for City of Darwin to occupy a broad role in promoting the social, economic, environmental, and cultural wellbeing of its local community and for community participation in such activities.

6 Implementation and delegation

The General Manager City Operations is responsible for managing implementation of this policy

7 Evaluation and review

This policy should be reviewed once in the term of each Council or more often as required.