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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR CHRISTMAS 2014 AND NEW YEAR HOLIDAY PERIOD 2015

Publishing Dates and times	Closing Dates and Times for copy
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Tuesday, 30 December 2014 at 12 noon	Wednesday, 24 December 2014 at 12 noon
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Remove from the Special Division Non-CEOs table within Part 1 of the First Schedule the following—

<i>Office</i>	<i>Department or Agency</i>	<i>Band</i>	<i>Office Holder</i>	<i>Salary</i>
Deputy Director General, State Initiatives	Department of State Development	3	Vacant	\$-

Include in the Special Division Non-CEOs table within Part 1 of the First Schedule the following—

<i>Office</i>	<i>Department or Agency</i>	<i>Band</i>	<i>Office Holder</i>	<i>Salary</i>
Deputy Director General, State Initiatives	Department of State Development	3	J. Ostojich	\$224,452

Dated at Perth this 11th day of November 2014.

W. S. COLEMAN AM,
Chairman.

C. A. BROADBENT,
Member.

B. J. MOORE,
Member.

Salaries and Allowances Tribunal

SA403*

SALARIES AND ALLOWANCES ACT 1975

DETERMINATION VARIATION

PREAMBLE

The Salaries and Allowances Tribunal has issued a determination in respect of the holder of the office of Director General within the Department of Regional Development.

DETERMINATION

The determination of the Salaries and Allowances Tribunal made on 24 June 2014 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a further determination set out below.

This variation is effective on and from 11 November 2014.

Remove the following from the Special Division CEOs table within Part 1 of the First Schedule—

<i>Office</i>	<i>Department or Agency</i>	<i>Band</i>	<i>Office Holder</i>	<i>Salary</i>
Director General	Department of Regional Development	3 (To be reviewed)	Vacant	\$-

Include the following in the Special Division CEOs table within Part 1 of the First Schedule—

<i>Office</i>	<i>Department or Agency</i>	<i>Band</i>	<i>Office Holder</i>	<i>Salary</i>
Director General	Department of Regional Development	3	D. Addis	\$232,058

Dated at Perth this 11th day of November 2014.

W. S. COLEMAN AM,
Chairman.

C. A. BROADBENT,
Member.

B. J. MOORE,
Member.

Salaries and Allowances Tribunal

TRANSPORT

TN401*

PERTH PARKING MANAGEMENT ACT 1999

PERTH PARKING POLICY 2014

1. Introduction

This policy sets out the approach by the State Government, following consultation with the City of Perth and other responsible planning authorities to the development and management of parking facilities that fall within the Perth Parking Management Area (PPMA). The policy was first developed in 1999 as a joint initiative by the State Government and the City of Perth and it continues to form an integral component of the broader planning framework for the city.

This policy may be amended from time to time by the Minister for Transport following consultation with the Minister for Planning, the Minister for Environment and the City of Perth as required by the *Perth Parking Management Act 1999* (the Act) and with other responsible planning authorities where appropriate.

This policy recognises that vehicular access to, from and within central Perth is a critical element in ensuring its continued economic and social viability. It also continues to recognise the need to preserve and enhance the city's environment. The policy aims to address these needs by supporting the provision of a balanced transport network in order to manage congestion and provide for the efficient operation of the transport network to, from and within the city centre.

This policy provides guidance to the State Government in exercising the powers conferred upon it by the Act. It also provides guidance to responsible planning authorities, developers, owners and managers of parking in making and assessing applications for parking planning approvals and parking licences.

An important benefit of the policy is the framework it provides for assessing the likely impacts of proposed parking facilities in the broader context of transport and planning objectives for the city rather than assessing parking licence applications in isolation. This provides comprehensive and consistent criteria for dealing with applications for both redeveloped and new parking. This policy also provides a logical framework for evaluating community and transport benefits which proponents will need to demonstrate should they seek a tenant parking allowance above the maximum level established by the policy.

The revenue raised through the licensing of parking spaces via the powers in the Act will be spent as required by the Act within the PPMA to give effect to this policy. Matters to be funded by the revenue include the Central Area Transit (CAT) bus system and improvements to that system, improving public transport access, enhancing the pedestrian environment, supporting bicycle access and other initiatives which support a balanced transport system to, from and within the PPMA.

2. Terms Used

2.1 In this policy, unless the contrary intention appears—

Act means the *Perth Parking Management Act 1999*;

CEO means the chief executive officer of the Department principally assisting the Minister administering the Act in its administration;

Development has the same meaning as it has in the *Planning and Development Act 2005* unless the site is within a redevelopment area, in which case it shall have the same meaning as it has in the *Metropolitan Redevelopment Authority Act 2011*;

Development application has the same meaning as it has in the *Planning and Development Act 2005* unless the site is within a redevelopment area, in which case it shall have the same meaning as it has in the *Metropolitan Redevelopment Authority Act 2011*;

Long-stay public parking means parking that is available to the public for use without the time and vehicle turnover requirements applied to short-stay public parking;

Lot has the same meaning as it has in the *Planning and Development Act 2005* and includes parcel;

Lot area means the area of the lot at ground level, excluding public open space and road reserves;

Parcel has the same meaning as it has in the *Strata Titles Act 1985*;

Planning Approval means approval, with or without conditions, granted by the relevant planning authority in respect of an application to begin or continue development

PPMA means the Perth Parking Management Area;

Public parking means parking that is available to members of the public whether or not upon payment of a fee or subject to other condition, but does not include parking that involves the use of a parking bay that is reserved for a specific individual or organisation;

Redevelopment means any demolition, erection, construction, alteration of or addition to any building, structure or parking facility other than;

- Cosmetic changes or refurbishments;
- Restorations, which do not involve demolition of walls, structures or parking facilities;
- Reconfiguration of parking bays;
- Air conditioning units, flag poles, pergolas, patios and shade sails which do not encroach on the existing parking layout, pools and spas, satellite dishes, signage, solar panels, TV antennae, water tanks and other similarly minor structures and equipment; and
- Alterations that affect only the interior of the building, structure or parking facility and do not increase its existing plot ratio floor area and/or change in the use of the building approved by the relevant planning authority in a way that is likely to result in an increase in peak period vehicle trips to or from the site.

Redevelopment area has the same meaning as it has in the *Metropolitan Redevelopment Authority Act 2011*;

Short-stay public parking means parking available to the public where, in each day, at least 50% of vehicles stay less than four hours; and at least 90% stay less than six hours;

Site means the lot/s or other portion/s of land, the subject of—

- o A subdivision application
- o a development application; or
- o an application under section 8 of the Act, a licence under section 9 of the Act or an application to the CEO under Clause 8.2;

as may be applicable.

Special Parking Control Area means that land and/or site in a redevelopment area declared a Special Parking Control Area by the CEO pursuant to clause 8.2.

Special Parking Control Sub Area means that land and/or site in a redevelopment area declared a Special Parking Control Sub-Area by the CEO pursuant to clause 8.2.

Special purpose bays means parking bays reserved exclusively for—

- the use of service and delivery vehicles, couriers, taxis, motorcycles, buses, coaches, vehicles used by people with disabilities; or
- any other specific use (except public parking and tenant parking);

for which the relevant planning authority has required parking be provided on the site.

Special Residential means premises providing short-term temporary or specialised residential accommodation including lodging house, hotel and serviced apartment;

Subdivision has the same meaning as it has in the *Planning and Development Act 2005*;

Tenant Parking means all parking available on a site for the use of tenants/occupants/owners of that site in support of their use of that site and their visitors; except;

- parking bays associated with private residential purposes; and
- special purpose bays.

Note—For the purposes of this definition a person leasing/occupying/owning only a car bay(s) on a site is not a tenant/occupant/owner of that site.

Vehicle crossover means that part of a driveway for use by vehicles between a site boundary and that part of a street used by vehicles.

2.2 Subject to Clause 2.1, words and expressions used in this policy shall have the same respective meanings as in the Act or any Regulations made under it.

3. Types of Parking the Policy Applies to

The policy applies to all parking that occurs on land or in or on a building on land or in or on a building within the PPMA unless—

- the land or building is used solely for private residential purposes; or
- The vehicle is a prescribed vehicle or is parked in prescribed circumstances as per the *Perth Parking Management Regulations 1999*.

4. Objectives

The policy seeks to create a sustainable transport system via the management of parking in the following ways—

- Ensuring the continued economic and social vitality of central Perth;
- Improving accessibility to, from and within the central city, for all;
- Improving air quality and the physical environment of the central city;
- Limiting the growth of the emission of noxious gases and particulate matter;
- Reducing the impacts of vehicular traffic on urban form and amenity within central Perth;
- Encouraging the efficient use of existing parking facilities within central Perth;
- Providing a framework for the development of parking facilities within central Perth as part of a balanced movement system for the city;
- Ensuring that metropolitan wide movement and access is not compromised;
- Encouraging the location and design of off-street parking facilities so that they complement their surroundings and have minimal negative impact on the amenity of the surrounding area; and
- Encouraging the design and location of access points to off-street parking so that disruption to pedestrians and public transport is minimised.

5. Principles

The policy will apply the following principles to parking in the PPMA—

- A range of parking facilities will be provided and managed having regard to the need to manage demand for private motor vehicle access to central Perth, the availability of public transport, the road capacity, traffic flow, land use and environmental conditions;

- In the heart of the city, pedestrians will have priority; surrounding the pedestrian heart, the emphasis will be on the provision of short term public parking. New long term public car parks must be located outside of the core central business district area and within the General Parking Zone (refer to clause 9.1);
- The maximum level of tenant parking will vary according to the category of street from which the parking facility is accessed and the nature of that access. The general principle is that the parking allowance is lower where access has greater detrimental impact on the movement of pedestrians and public transport;
- Parking facilities should complement their surroundings without causing undue disruption or loss of amenity to surrounding uses;
- Parking facilities for people with disabilities and for cyclists should be clearly designated and conveniently located;
- Subject to clause 12, tenant parking should only support the activity of the site on which it is located unless the responsible planning authority approves one or more of such parking bays being made available to tenants, occupants, owners, visitors or workers of other lots or sites;
- Sufficient service vehicle bays should be included on a site to minimise the impact on the pedestrian environment;
- Parking which is already licensed but does not conform to this policy will, unless varied under section 15 of the Act, continue to be licensed as per the existing licence conditions.
- If required under section 9(4) of the Act, parking must have appropriate planning approval.

6. Area of Application

This policy shall apply to the PPMA established by regulation under the Act.

7. Provisions of the Policy Applicable to Applications for Licences and Variations of Licences

7.1 Subject to section 9(2) and (3) of the Act, when an application is made for a parking bay licence for a site, parking may be licensed in conformity with, and within the limits set by, the most recent planning approval for a redevelopment applicable to the site provided that such licence is consistent with the relevant provisions of the Perth Parking Policy (if any) in place at the time of that planning approval.

7.2 Subject to planning approval, where a parking bay licence has been issued based on approval by the Minister under section 9(3) of the Act, the relevant provisions of the Perth Parking Policy (if applicable), in its application to that site, are modified to give effect to that approval on an application to vary that licence.

7.3 When an application is made to vary a parking bay licence, the CEO may vary it within the limits stated in Clause 7.1 for the issue of a licence (as affected by Clause 7.2).

7.4 In this clause—

- 7.4.1 Except where clause 8.2.12 otherwise provides, “relevant provisions of the Perth Parking Policy” means the relevant provisions of the Perth Parking Policy as to the numbers and types of parking bays that can be licensed for sites as at the time of the planning approval in respect of that redevelopment.
- 7.4.2 If planning approval was granted subject to conditions that related to provision of parking or vehicular access to or from a site then such conditions (or if varied, such varied conditions) must have been met or waived by the relevant authority at the time of issue of the licence.

7.5 Dates of gazettal of the Perth Parking Policy developed in 1999 as amended by a subsequent version are set out in Addendum 1.

8. Tenant Parking

8.1 Subject to clauses 7, 8.2 and 8.3, the maximum allowance of tenant parking on sites within the PPMA is subject to the limits set out in Table 1 below and the category of the street from which the proposed parking will be accessed as outlined in Figure 2. Any street not specifically identified on the Tenant Parking Street Hierarchy map (refer Figure 2) should be referred to the CEO for advice as to its category.

8.1.1 In Table 1—

At grade access is where there is one or more vehicle crossovers to/from parking on a lot and the access is not integrated access.

Integrated access means where—

- o vehicle access to parking on a lot is off a Right of Way (ROW) which is used for vehicle access to/from more than one lot or building;
- o vehicle access to parking on or in two or more lots or buildings utilises a shared vehicle crossover; or
- o there are fewer vehicle crossovers to/from the lot or building than the lesser of the number of buildings or lots that have a minimum area of 250m² and/or the existing approved number of vehicle crossovers.

8.1.2 *Table 1: Tenant parking allowances.*

Street priority	Maximum allowance (bays per 10,000m ² of lot area)*1	
	At grade access	Integrated access
Category 1	80 or replacement of existing licensed tenant parking bays, whichever is less	120 or replacement of existing licensed tenant parking bays, whichever is less
Category 2	100	150
Category 3	150	200
Category 4	200	250

Notes:

*1. *Allowance of tenant parking bays will be rounded to the nearest whole number.*

8.1.3 To support the principle that in the heart of the city pedestrians and public transport will have priority, it is the long term aim of this policy to reduce the number of parking bays which are accessed via higher priority streets (i.e., Category 1 and 2); and the number and impact of vehicle crossovers. When considering applications seeking to access parking from higher priority streets, account should be taken of—

- o the need for pedestrian and public transport priority;
- o current policy of the relevant planning authority regarding the use of such streets by particular modes;
- o the overall number of bays accessed from each section of street;
- o recent changes in numbers of parking spaces in the vicinity;
- o whether there are alternatives for access; and
- o the best outcome for pedestrian amenity and traffic impact.

8.2 Special Parking Control Areas on land declared to be Redevelopment Areas under the Metropolitan Redevelopment Authority Act 2011

Due to the length and limited application of the provisions relating to Special Parking Control Areas, this clause is set out in Addendum 2.

8.3 Additional tenant parking allowances upon redevelopment

The maximum allowance for tenant parking bays may be increased to the number provided for in the next category down in Table 1 (e.g. access from a Category 1 street assessed for a Category 2 allowance) when—

- o the number of tenant parking bays being applied for is less than the number licensed on the site before redevelopment;
- o the nature of use of the existing parking and its infrastructure is substantially unchanged;
- o the redevelopment approval included approval for at least the number of tenant bays the subject of the application;
- o provision is made for of end of trip facilities well above the normal minimum requirement of the relevant planning authority; improved pedestrian amenity and facilities; and/or other initiatives that will improve the efficiency of the local transport network, primarily at peak times; and
- o a Transport Impact Assessment demonstrates that the proposed level of tenant parking facilities above the maximum allowance under this policy will have a negligible negative impact on pedestrian, public transport and traffic flows within the immediate area and on the primary approach routes to the site primarily at peak times.

9. Public Parking

9.1 Location of public parking facilities

This policy establishes three parking zones for public parking (see Figure 1)—

Pedestrian Priority Zone (“PPZ”)

Within this zone—

- o New short-stay public parking may be permitted provided it does not require access from streets within the PPZ; it complies with the provisions of this policy; and it receives approval from the relevant planning authority.
- o Where redevelopment takes place which affects existing parking, access from streets within the PPZ shall be eliminated wherever possible.
- o All vehicle access and parking must limit its impact on the movement of pedestrians and public transport.
- o New long-stay public parking will not be permitted.

Short-Stay Parking Zone (“SPZ”)

Within this zone—

- o Public short-stay parking facilities may be permitted subject to compliance with the provisions of this policy and approval from the relevant planning authority.
- o New long-stay public parking will not be permitted.

General Parking Zone ("GPZ")

Within this zone—

- o Public long-stay and short-stay parking may be permitted subject to compliance with the provisions of this policy and approval from the relevant planning authority.

10. Evaluation of Applications for Planning Approval and Licences for Public Parking Facilities/Bays

A guide to the information that is likely to be required to be provided with planning applications to provide public parking facilities and applications to license parking bays in them is set out below. The criteria listed should be considered as a guide in determining locations suitable for the granting of a planning approval and subsequent licence for public parking bays and are to be used as general policy guidelines and not to be interpreted or applied as prescriptive requirements.

10.1 Transport Impact Assessment

A Transport Impact Assessment is to be provided to the relevant planning authority with an application and approved in respect of new public parking bays where, in the opinion of the relevant planning authority or of the CEO, a new public parking facility, or alteration to an existing parking facility, is of a magnitude, location or type that is likely to result in a significant impact on traffic generation/movement and parking within the locality.

The Western Australian Planning Commission's Transport Assessment Guidelines provide further guidance on Transport Impact Assessments.

10.2 Criteria for assessment

In considering an application for planning approval and subsequent licensing for a public parking facility, consideration should be given to the following matters—

- (a) The proposed parking facility is to offer parking in accordance with the parking zone it is located within. For example, long stay public parking should be located in the GPZ.
- (b) The potential positive impact that the proposed public parking facility may have on the amenity of the local area, including—
 - (i) The creation of active (commercial) street frontage; and
 - (ii) Allowing for higher density or more active development of land, for example mixed use of land that was formerly surface level car-park.
- (c) The proposed public parking facility is in an area with a relatively low level of public transport access.
- (d) The level of impact the proposed public parking facility would have on local traffic flows.
- (e) The level of impact that the operation of the proposed public parking facility would have on pedestrian movement in its vicinity including—
 - (i) Preference for vehicle access to the site on or in which the parking facility is located from Category 3 or 4 streets; and
 - (ii) Vehicle crossovers are rationalised.
- (f) Any other relevant matters.

10.3 Additional criteria to assess long stay public parking facilities

In addition to the criteria in clause 10.2, long-stay public parking should also be assessed against the following additional or expanded criteria with more favourable consideration where—

- (a) The proposed parking facility has little net impact on long stay parking supply including—
 - (i) The proposed parking is replacing existing long stay public parking in the vicinity;
 - (ii) The proposed parking is consolidating existing parking in the vicinity into one location; or
 - (iii) The new long stay public parking bays are replacing tenant parking bays.
- (b) The new parking facility is being proposed in an area where there is a low provision of public parking.
- (c) The site of the proposed car park is not located in the vicinity of high frequency public transport supply, for example there is not a train station within a 400 metre radius (measured from pedestrian entrance/exits).
- (d) The parking facility is to service a customer group whose public transport options are limited, for example, due to disability.
- (e) There is minimal impact of the parking facility on traffic flows within the area, including—
 - (i) The parking facility traffic will not create areas of congestion;
 - (ii) There will be limited increase of vehicles per hour during peak periods on each of the major approach roads, for example, an increase of less than 100 vehicles per hour during peak periods; and
 - (iii) Integrated access (as defined in clause 8.1.1) is provided or vehicle crossovers are off Category 3 or 4 streets.
- (f) The parking facility intercepts commuter traffic at the PPMA fringe.

(g) Any other relevant matters, including—

- (i) The proposed parking facility supports balanced transport outcomes such as catering for large numbers of bicycles or motorcycles, incentive programs for high occupancy vehicles or supports local developments that have, or will, reduce the supply of tenant parking.
- (ii) The proposal supports development that will contribute to the economic or social vibrancy of the area.

11. Special Provisions

11.1 Residential parking

Under this policy, private residential parking is considered to be parking that is used solely in conjunction with permanent residential uses. Special residential premises are not considered to be premises for private residential uses and are subject to this policy.

Tenant and public parking facilities may be considered for licensing as residential parking, subject to approval from the relevant planning authority. See Clause 11.5.

11.2 Events parking

Land, including parks and reserves, may be used intermittently for parking vehicles in association with special events where it has been demonstrated that there is a requirement.

Events parking may be provided to address unforeseeable events such as public transport disruption; or in circumstances where it is expected that an event will create a spike in access and parking demand that cannot be accommodated by car parks in the vicinity or by existing or temporarily increased public transport provision. Events' parking is only for the use of the event organiser, participants or patrons.

An application for events parking must receive approval from the relevant planning authority(s) and be consistent with the intent of this policy. Such bona fide event parking is otherwise exempt from the provisions of this policy.

11.3 Parking for people with disabilities

The percentage of ACROD bays required in a car park is specified by the Building Code of Australia (BCA). The BCA aligns with the Disability (Access to Premises—Buildings) Standards 2010 developed under the *Disability Discrimination Act 1992*.

11.4 Motorcycle parking

It is recommended that motorcycle parking for tenant use be provided, as a minimum, at a rate of 5% of the total tenant parking allowance provided by Table 1.

For new or redeveloped public parking facilities in the Pedestrian Priority, Short Stay and General Parking Zones, motor cycle parking provision is recommended to be at least 5% of all public bays.

Conversion of car bays to motorcycle bays will be supported.

11.5 Combined, reciprocal and extraordinary off-site tenant parking

More than one type of parking may be approved by the planning authority and subsequently licensed within a single parking facility. Where combined parking is proposed, the different types of parking must be clearly delineated and appropriately segregated. Details of how the different types of parking will be managed in compliance with this policy shall be submitted as part of any Parking Management Plan for the facility.

Reciprocal parking arrangements may also be approved by the planning authority and subsequently licensed within a parking facility where different uses (such as office and residential) will generate parking demand at different times and where it can be demonstrated that this will result in the efficient use of parking resources and will support the objectives of this policy. Reciprocal parking allows parking bays to be used for more than one type of parking over any given period.

Where tenant parking is included in the reciprocal parking arrangements, the tenant parking allowances set out in Table 1 in clause 8 apply and bays will be licensed as tenant parking. Other parking types will be assessed on the basis of the predominant parking use and licensed as such. All parking types must comply with the relevant provisions of this policy.

In extraordinary circumstances (e.g. heritage buildings with no or very limited on-site parking), non-residential parking may also be approved by the planning authority and subsequently licensed within a parking facility on a site for the use of tenants, occupants, owners, visitors or workers of other specified sites (referred to as "off-site tenant parking") and the tenant parking allowances set out in Table 1 in clause 8 apply and bays will be licensed as tenant parking.

Planning approval and subsequent licence for a site which contains combined, reciprocal or off-site tenant parking arrangements will be required to have developed and maintained an up to date Parking Management Plan. Refer to clause 13 of this policy.

12. Vacant Land and Buildings

12.1 Vacant land and buildings may not temporarily be used for parking unless—

- (a) There is a need to continue to provide parking for a building or buildings on another lot undergoing development ("the development lot");

- (b) Development approvals have been issued for the development lot and for a temporary parking facility to continue to provide that parking; and
- (c) A parking bay licence for the temporary parking facility has been issued.

12.2 The licence for the temporary parking facility shall—

- (a) Permit parking in no more than the numbers and types of parking bays by which the licence for the development lot has been reduced during the development;
- (b) Be subject, as far as is practicable, to the same conditions, as the licence for the development lot;
- (c) Generally, be for a period corresponding to the completion of the development.

12.3 Upon termination of the planning approval or the licence for the temporary parking facility, the site on which it was located shall be secured to prevent any unauthorised parking and maintained in a clean and tidy condition from thereon. The site may be required to be upgraded to enhance the amenity of the locality to the satisfaction of the relevant planning authority.

12.4 The intent of this measure is to facilitate the on-going development and evolution of central Perth without negatively impacting on the transport network.

12.5 It will be necessary for the operator of the parking facility to have developed and maintained an up to date Parking Management Plan to the satisfaction of the relevant planning authority. Refer to clause 13 of this policy.

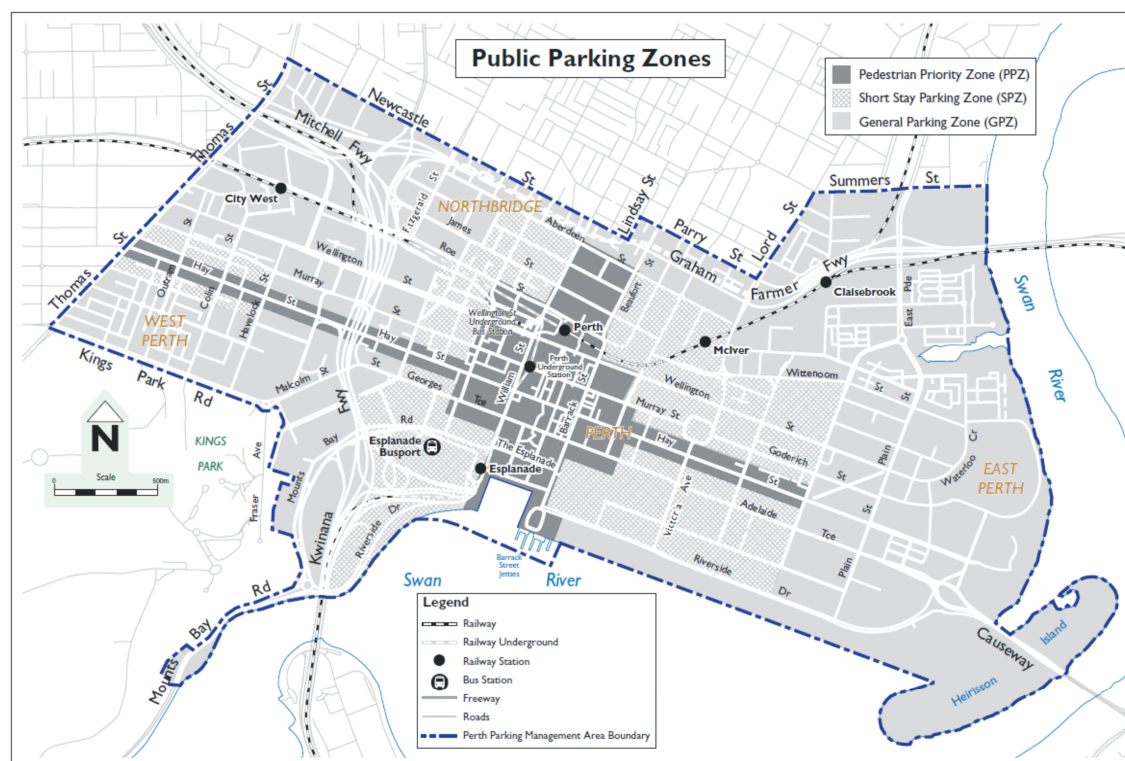
13. Parking Management Plans

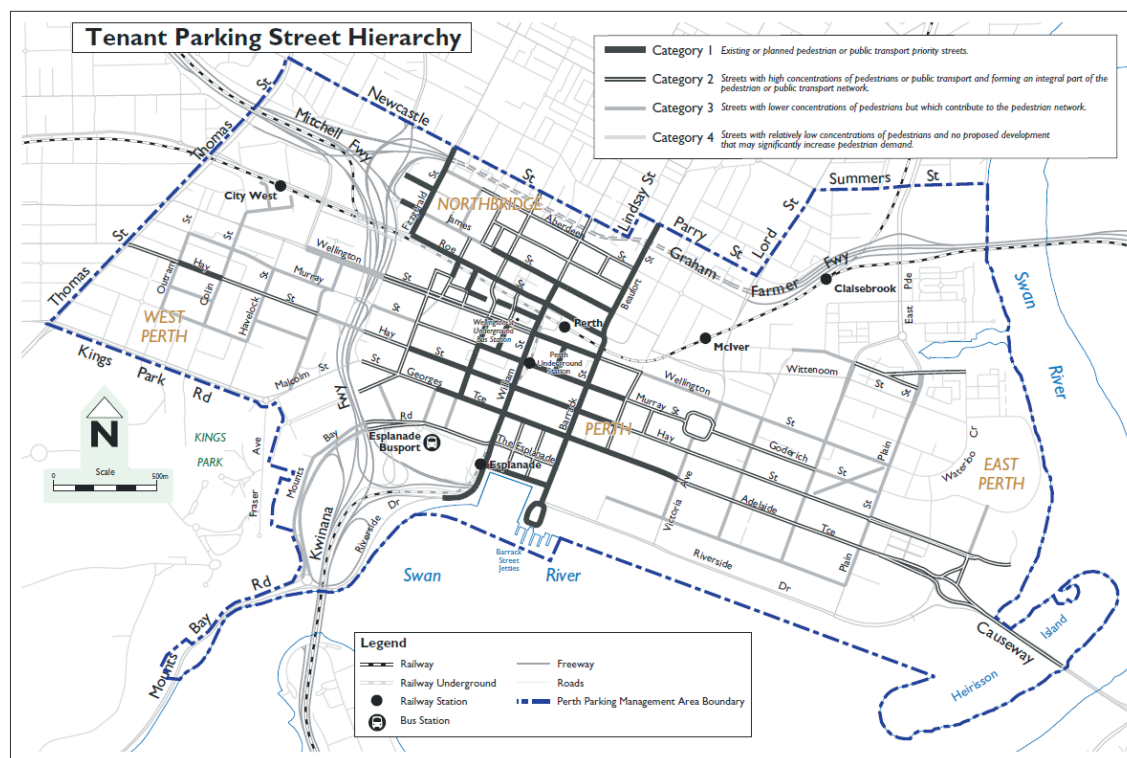
Applications for new or redeveloped parking, or for a change of use of parking bays (for example, from tenant parking to public parking), will be required to be accompanied by a detailed Parking Management Plan (PMP).

The PMP should describe how the parking provided on the site will be managed to ensure compliance with this policy and may include, but not be limited to, the following matters—

- How will access to the parking be controlled?
- How will different types of parking on the site be managed and controlled?
- What pricing structures will be imposed on public parking to reflect short stay or long stay parking restrictions?
- What methods will be used to police and enforce compliance with the relevant planning approval and this policy?
- How will evidence be collected and reported to demonstrate compliance?
- What safety and security measures will be implemented to protect individuals and their property when using the parking?

It will be necessary for the operator of the parking facility to maintain and implement an up to date PMP that satisfies the relevant planning authority and the CEO.





Addendum 1: Perth Parking Policy Gazettal Details

Perth Parking Policy gazetted on 16 July 1999

Perth Parking Policy 2012 gazetted on 9 October 2012

Addendum 2—

8.2 Special Parking Control Areas on Land Declared to be Redevelopment Areas under the Metropolitan Redevelopment Authority Act 2011

8.2.1 The owner of a site being or in a Redevelopment Area may apply to the CEO for a declaration that the site be a Special Parking Control Area (“SPCA”) under this policy where—

- the site is vacant land and/or a redevelopment site;
- an in-principle development approval, approval of a Local Area Plan (or if Local Area Plans are renamed or replaced, then the renamed or replacement plans) or development approval (See Metropolitan Redevelopment Authority Central Perth Redevelopment Scheme Text Chapter 5) or other planning approval has been granted by the Metropolitan Redevelopment Authority or other relevant planning authority for redevelopment of vacant land and/or a redevelopment site has been made where the site is to be subdivided so as to include two or more development sites or lots or that two or more buildings are to be erected on the site (“primary redevelopment approval”); and
- the street priority of all relevant streets or streets proposed for the site has been determined pursuant to clause 8.1.

8.2.2 The CEO, at the absolute discretion of the CEO, may declare that the site is a SPCA under this policy.

8.2.3 Either at the time of an application for a declaration that a site be a SPCA under this policy or at any later date, the owner of the site may apply to the CEO for a declaration that—

- the SPCA be divided into two or more Special Parking Control Sub-Areas (“SPCSUs”), each containing one or more lots or proposed lots as set out on a proposed subdivision plan attached to the application;
- the numbers specified in the application as the maximum allowances of tenant parking bays to be allocated to each SPCSU, if the SPCSU as redeveloped has At Grade Access or if the SPCSU as redeveloped has Integrated Access, depending on which is the case, be the maximum allowance of tenant parking bays for that SPCSU in lieu of the maximum allowance that would otherwise have been applicable to the SPCSU under the policy; and
- if the primary redevelopment approval in place in respect of the site on the date of declaration by the CEO that the site is a SPCA contains an approval for lesser numbers of tenant parking bays for the site than provided in the policy in place at the date of the primary in-principle redevelopment approval in respect of the SPCA (“the base date”) then the maximum allowances shall be such lesser numbers.

8.2.4 The owner of land the subject of a SPCSU (“the original SPCSU”) may apply to the CEO for declarations that—

- (a) the original SPCSU be further divided so as to include two or more SPCSUs, each containing one or more lots or proposed lots as set out on a proposed subdivision plan attached to the application; and
- (b) the maximum allowances of tenant parking bays allocated to the original SPCSU be divided between the proposed SPCSUs as specified in the application.

8.2.5 Each application under clauses 8.2.3 and 8.2.4 shall be accompanied by a copy of all relevant planning approvals and a Parking Management Plan which demonstrates appropriate allocation and management of car parking within each SPCSU sought to be declared under those clauses.

8.2.6 In deciding whether to declare a SPCSU and the allocation of maximum tenant parking allowances within a SPCA or a SPCSU, the CEO shall determine if, after taking into account any variations pursuant to clauses 8.2.13 and 8.2.14, there is likely to be equal or better transport and traffic outcomes if the application as submitted was granted or granted subject to amendment or conditions to be attached to the grant or both and in doing so shall take into account—

- (a) the impact that parking vehicles in accordance with the proposed licence would be likely to have on the following—
 - (i) the flow of pedestrians;
 - (ii) the flow of public transport; and
 - (iii) vehicle traffic flow and road network efficiency in the vicinity of the site;
- (b) the availability of public transport within a 400 metre radius of the site;
- (c) any infrastructure, services or programs to be provided by the development which promotes the use of alternative transport modes; and
- (d) any other relevant matters.

8.2.7 If the CEO notifies the applicant that the CEO will grant the application—

- (a) as submitted; or
- (b) subject to—
 - (i) amendment;
 - (ii) conditions to be attached to that grant; or
 - (iii) amendment and conditions to be attached to that grant;

and the applicant wishes to proceed with the application on the terms notified by the CEO, then the applicant shall, subject to obtaining planning approval if that is necessary;

- (a) accept those terms in writing; and
- (b) provide to the CEO—
 - (i) the consent required under section 70A(2)(b) of the *Transfer of Land Act 1893* (“TLA”); or
 - (ii) a request for modification to the Registrar of Titles pursuant to section 70A(3) of the TLA;

as the case may be.

8.2.8 If the CEO declares the site a SPCA, that declaration shall take effect upon lodgement of a notification of that declaration under section 70A(2)(b) of the TLA with the Registrar of Titles.

8.2.9 If the CEO declares the site a SPCSU, upon lodgement of a notification under section 70A(2)(b) of the TLA or request for modification under section 70A(3) of the TLA with the Registrar of Titles, the maximum allowances that would have been available under this policy for such SPCSU shall be replaced by the maximum allowances in accordance with such notification or request for modification.

8.2.10 Subject to clause 8.2.11, where a notification has been lodged with the Registrar of Titles pursuant to this clause 8.2, “relevant provisions of the Perth Parking Policy” in clause 7.4.1 means “the relevant provisions of the Perth Parking Policy as to the numbers and types of parking bays that can be licensed for sites as at the base date in respect of that redevelopment” instead of “as at the time of the planning approval in respect of that redevelopment”.

8.2.11 Where a planning approval has been granted for redevelopment of a lot in the SPCA (“redevelopment approval”) after the approval period (see clause 8.2.12) and the policy has been amended since the base date to vary the maximum allowances of tenant parking bays that can be licensed consistent with the policy (excluding this clause 8.2), the following shall apply.

The maximum allowances of tenant parking bays for that lot shall be the maximum allowances of tenant parking bays for that lot immediately before the expiry of the approval period varied in the ratio that the maximum allowances of tenant parking bays that could have been licensed for the SPCA consistent with the policy (if this clause 8.2 had not been applied to the SPCA) at the date of the redevelopment approval for that lot bears to the maximum allowances of tenant parking bays for the SPCA as at the base date.

8.2.12 In clause 8.2.11, “approval period” means the period provided in the primary redevelopment approval at the base date as the period for which that approval is valid (whether that primary redevelopment approval is superseded, partly superseded or otherwise amended by a subsequent primary redevelopment approval) unless the CEO prior to the expiry of the approval period, approves a later date to be the end of the approval period, in which case, it shall be that later date.

8.2.13 If the number of tenant parking bays allocated for any lot or SPCSU under clause 8.2.9, as varied by the operation of clause 8.2.11, if applicable, is more than permitted under any relevant planning approval, then the maximum allowances of tenant parking bays for such lot or SPCSU shall be reduced to the number of tenant parking bays permitted under such planning approval.

8.2.14 If the boundaries of lots differ from the boundaries of proposed lots set out in an application under clause 8.2.3 or 8.2.4 or from which they have been derived, then the boundaries of the SPCA, the relevant SPCSU and proposed lots (if relevant) shall be varied to the extent necessary to coincide with the boundaries of the relevant lots, in the relevant places and the maximum allowances of tenant parking applicable to any affected lot or SPCSU may, at the absolute discretion of the CEO be varied, as the CEO considers appropriate, to take account of such change.

8.2.15 If the owner of land applies to the CEO for a notification to be removed from a certificate of title or modified and the CEO agrees, then the CEO shall, at the request of the applicant, sign and deliver to the applicant a request prepared by the applicant to the Registrar of Titles under section 70A(3) of the TLA for such removal or modification.

8.2.16 Applicants under any sub clause of this clause 8.2 shall;

- (a) pay the prescribed fee (if any) to the CEO in respect of such applications to the CEO and for the preparation and/or lodgement of the relevant documents with the Registrar of Titles; and
- (b) pay the prescribed fee payable to the Registrar of Titles in respect of the relevant documents.

8.2.17 In this sub-clause 8.2—

- (a) “owner of a site”, “owner of the site”, and “owner of land” include the owners (as defined in the Act) of the constituent lots and/or parcels in the site or land; and
- (b) “parcel” has the same meaning as it has in the *Strata Titles Act 1985*.

8.2.18 These provisions shall continue to apply to the land or any part of it when removed from a redevelopment area and when a redevelopment scheme under the *Metropolitan Redevelopment Authority Act 2011* ceases to apply to the land or any part of it.

TREASURY AND FINANCE

TR401*

ENERGY ARBITRATION AND REVIEW ACT 1998

APPOINTMENT

Western Australian Energy Disputes Arbitrator

Mr Laurie Edmond James has been appointed as the Western Australian Energy Disputes Arbitrator under the *Energy Arbitration and Review Act 1998* section 62(2), on and from 29 November 2014 for a term of three years.

DECEASED ESTATES

ZX401*

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Geerit Jan Van Der Zouwen, late of Manoah Hostel, 86 Mills Road West, Martin, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on 2 August 2014, are required by the Executor, Nicolas James Hemelaar to send particulars of their claims to him care of Level 36, QV1 Building, 250 St Georges Terrace, Perth, Western Australia 6000 by the date one month following the publication of this notice, after which date the Executor may convey or distribute the assets, having regard only to the claims of which he then has had notice.