

## Vehicle Parking Scheme

This Scheme is established by the Minister for Planning (the **Minister**) under section 127A and 200A of the *Planning, Development and Infrastructure Act 2016* (the **Act**).

### **Introduction**

Section 127A of the Act allows the Minister to publish a scheme on the SA planning portal (the **Scheme**) that relates to vehicle parking for designated development, including conditions applying to development authorisations for such development.

Section 200A enables the Minister to establish and maintain a fund called the Vehicle Parking Fund (the **Fund**).

The Minister may apply any part of the Fund for the purposes of:

- (a) establishing, developing and maintaining public vehicle parking in areas where the Minister considers insufficient vehicle parking exists, including by acquiring land for the purposes of public vehicle parking; or
- (b) maintaining or improving existing public vehicle parking facilities, including by maintaining or improving signage, road surfacing, line marking, lighting and pedestrian connectivity in respect of such facilities; or
- (c) improving public bicycle parking facilities; or
- (d) any other thing relating to vehicle parking considered appropriate by the Minister.

This Scheme is established by the Minister for contributions to be made the Fund to off-set the provision of car parking associated with a development.

## Vehicle Parking Scheme

### 1. Citation

This Scheme may be cited as the Vehicle Parking Scheme (the Scheme).

### 2. Commencement of operation

This Scheme will commence operation on the date it is published on the SA Planning Portal.

### 3. Object of the Scheme

The Scheme is designed to support minimum carparking requirements for developments. The Scheme alleviates community concerns around carparking on residential streets and commercial areas, especially in those areas where substantial infill development is occurring.

The Scheme provides that an applicant for development approval may, in appropriate cases, elect to make a contribution to the Fund instead of providing the required number of carparks at the development. This contribution furthers the objects of the Act in the manner contemplated by section 200A(4).

### 4. Interpretation

In this Scheme, unless the contrary intention appears:

**Act** means the *Planning, Development and Infrastructure Act 2016*;

**Code** means the Planning and Design Code established under the Act;

**DTS/DPF** policy means the deemed-to-satisfy criteria and the designated performance feature 5.1 and Tables 1 or 2 (as the relevant case may be) in the Transport, Access and Parking General provisions in the Code;

**Fund** means the *Vehicle Parking Fund*, established under section 200A of the Act;

**Greater Adelaide** means Greater Adelaide constituted under section 5 of the Act;

*Note: Section 12 of the Legislation Interpretation Act 2021 provides that expressions used in a legislative instrument or other instrument made under an Act have the same meaning as they have in the Act (as in force from time to time).*

### 5. Vehicle Parking Requirements

5.1. For the purposes of section 127A(4) of the Act, the Scheme provides that the construction of a new dwelling must have:

5.1.1. in the case of a dwelling with 1 bedroom – 1 vehicle park; or

5.1.2. in the case of a dwelling with 2 or more bedrooms – 2 vehicle parks.

- 5.2. Each vehicle park, including those within an enclosed garage, must meet the following minimum internal dimensions:

Vehicle Park Type	Width	Length
Single Vehicle Park	3500 mm	6000 mm
Double Vehicle Park	5400 mm	5400 mm

- 5.2.1. A single garage or carport door opening must be a minimum of 3000 mm.
- 5.2.2. A double vehicle park may also be designed with minimum internal dimensions of 10,800 mm x 3000mm.
- 5.3. For the purposes of section 127A(3)(d):
- 5.3.1. Vehicle parks are not required to be covered but one must be capable of being undercover (and once undercover, must still meet the dimensions specified in clause 5.2 of this Scheme); and
- 5.3.2. Where undercover vehicle parks are not provided, provision should be made for a covered vehicle park that is able to conform with the following design conditions in the Code:
- 5.3.2.1. situated so that no part of the garage or carport is in front of any part of the building line of the dwelling.
  - 5.3.2.2. are set back at least 5.5m from the boundary of the primary street.
  - 5.3.2.3. have a garage door / opening not exceeding 7m in width.
  - 5.3.2.4. have a garage door / opening width not exceeding 50% of the site frontage unless the dwelling has two or more building levels at the building line fronting the same public street.

## 6. Designated Classes of Development

- 6.1. For the purposes of section 127A(3)(a) of the Act, the designated classes of development are those outlined in Schedule 1 to this Scheme.

## 7. Payment into Fund

- 7.1. Payment to the Fund will be required to be paid to the relevant authority prior to the issuing of final Development Approval.
- 7.2. Any money in the Fund that is not, for the time being, required for the purpose of the Fund, may be invested by the Treasurer and any resultant income must be paid into the Fund.
- 7.3. Any money advanced or made available by the Treasurer or any other person or body for the purposes of the Fund, must be paid into the Fund.

7.4. Where an applicant has elected to make a contribution to the Fund under this Scheme, the relevant authority will impose a condition on the relevant development authorisation requiring that payment will be made in accordance with this Scheme directly to the relevant authority (and not via the SA Planning Portal).

7.5. Where:

7.5.1. an applicant seeks planning consent; and

7.5.2. DTS/DPF policy requires the provision of car parking spaces; and

7.5.3. the applicant elects to make a contribution to the Fund in lieu of providing car parking spaces at the following rates:

Area	Rate (\$ per carpark)
CBD	\$45,000
Metropolitan Adelaide	\$35,000
Outside of Metropolitan Adelaide	\$25,000
Other	\$10,000

7.6. For the purposes of section 127A(5) of the Act, a relevant authority cannot impose a condition requiring a contribution be made into the Fund in lieu of providing the minimum number of carparks for the following classes of development:

7.6.1. Class 1a dwellings; or

7.6.2. Apartment buildings.

## 8. Refunds

8.1. A proponent will be able to seek a refund for a contribution made to the Fund in accordance with this Scheme if:

8.1.1. the relevant Development Authorisation has lapsed;

8.1.2. in accordance with section 143 of the Act, the relevant Development Authorisation has been cancelled; or

8.1.3. a variation made pursuant to section 128 of the Act will change the requirements pertaining to the provision of carparking, resulting in an overpayment being made.

## 9. Auditing

9.1. The Fund must be audited by an auditor determined by the Minister at the end of each financial year and the audited accounts of the Fund by must be included as part of the annual report for the Act required under the *Public Sector Act 2009*.

**Schedule 1**

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