

Council Member
Councillor Moran

Public

Receiving Officer:
Mark Goldstone, Chief Executive
Officer

MOTION ON NOTICE:

Councillor Moran will move a motion and seek a seconder for the matter shown below to facilitate consideration by the Council:

‘That:

Council investigate portioning off an area of 88 O’Connell Street and provide free permits to business owners and workers to park their vehicles there during working hours.’

ADMINISTRATION COMMENT:

1. In the past Council has considered the implications of a non-ancillary car park. There are two issues to be assessed for a non-ancillary car park; firstly it is a non-complying form of development in the Main Street (O’Connell) Zone and secondly the suitability of the current surface for continuous use as public car park.
 - 1.1 The Adelaide (City) Development Plan policy is that non-ancillary car parks are a non-complying form of development.
 - 1.2 If Council were to pursue the development of temporary, non-ancillary car parking on this site, there could be the perceptions of inconsistency, bias or predetermination which may be associated with a development of an ‘at grade car park’ on this site. In addition, precedence may be set which would see Council being approached to provide parking for other businesses and workers in other locations throughout the City;
 - 1.3 Car parks that are developed that are **ancillary** to an existing use are not non-complying. They are a ‘merit’ use in the Main Street (O’Connell) Zone;
 - 1.4 If Council were to pursue a development for an ancillary car park, the development application process would involve:
 - 1.4.1 Submitting a development application with supporting documentation including specialist engineering advice in relation to car parking layout, traffic management, drainage and lighting matters.
 - 1.4.2 The development application would need to demonstrate that the car parking is genuinely ancillary to existing businesses and only for use by business owners and their employees.
 - 1.4.3 In other similar proposals, the applicant has been required to demonstrate how the car park would be secured to ensure that the car park is not available to the public. It would be necessary to demonstrate that the car park is not available for public parking, otherwise it would default to be assessed as a non-ancillary use which would be non-complying development.
 - 1.4.4 Council’s Development Assessment staff would request that the State Commission Assessment Panel (SCAP) be determined as the relevant authority rather than Council Assessment Panel (CAP) to remove appearance of any bias.

1.4.5 The development application would be a 'Category 2' application requiring public notification to adjacent property owners and occupiers.

1.4.6 Depending upon who is the relevant authority SCAP/CAP will determine application.

2. Council will be considering a report at its meeting on 14 May 2019 seeking interest from third parties through an Expression of Interest (EOI) process to activate the site.
3. Should the process present an opportunity for activation, fixed, short term, ancillary car parking would be a requirement to support the usage and a development application would be submitted for assessment.

- END OF REPORT -