

Item 9.3**EXCLUSION OF SPECIFIC DEVELOPMENTS FROM THE RESIDENTIAL PARKING PERMIT SCHEME**

File No.
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Director City Development

1. Purpose

To review and update Council Policy “*Exclusion of Specific Developments from the Residential Parking Permit Scheme*”.

2. Community Plan

Theme 2 – Traffic, Parking and Transport

To promote the safe movement of pedestrian, bicycle and vehicle traffic in a way that minimises the impact of traffic and parking on the local amenity and physical environment.

3. Background

A Community Plan action for 2012/2013 is:

“Review and update Council Policy “Exclusion of Specific Developments from the Residential Parking Permit Scheme” to implement measures to ensure multi dwellings provide adequate on-site car parking.”

The action requires a review of this specific policy and not the whole Residential Parking Permit Scheme.

However, the review cannot be undertaken without an understanding of what a Resident Parking Permit (RPP) is and how it operates. In simple terms the holder of a RPP is not bound by timed parking restrictions above 1 hour (1P). Permits are for residents and their visitors.

Eligibility conditions apply and include:-

- Up to 3 free RPP per property can be issued.
- Additional permits can be issued for a fee (\$95 each).
- Permits are not issued in the main street of a shopping centre or in car parks servicing shopping centres.
- Permits require renewal annually.
- **“Council reserves the right to exclude specific developments from access to the scheme....”**

A copy of the Residential Parking Permit Scheme is attached at Appendix 1.

Parking restrictions are an acknowledgment that parking demand exceeds parking supply. Residential streets near shopping centres typically have restrictions on at least one side of the street. A RPP gives “immunity” to the holder of the need to comply with the restriction.

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Parking demand continues to grow whilst on street parking supply remains static. In some streets it is becoming evident that having a RPP does not guarantee the availability of a parking space. This is a likely growing trend.

There are now many streets which have parking restrictions but there is little or no turnover of cars due to RPPs. Each additional RPP dilutes the effectiveness of an RPP.

The policy under review being the “*Exclusion of Specific Developments from the Residential Parking Permit Scheme*” (Exclusion policy) is attached at Appendix 2 and arises from the “bolded” dot point above.

4. Issues

The practical application of the Exclusion policy has seen it apply to medium density dwellings (which need a planning permit) in Housing Diversity Areas where parking restrictions presently apply.

The policy has been applied for 10 years. In this time 457 dwellings have been excluded from obtaining a RPP.

On site car parking rates are set by the State Government through ResCode. ResCode stipulates:-

- 1 car space for 1 or 2 bedroom dwellings
- 2 car spaces for 3 or more bedrooms
- 1 visitor car space for each 5 dwellings

These rates cannot reasonably be increased. Some argue these rates are too low and that a 2 bedroom dwelling will, for example, generate a higher demand than 1 car space. If this is true, medium density dwellings can lead to increased traffic congestion and increased demand for on street car parking.

Against this background existing residents are comforted by the application of the Exclusions policy. This is because the Exclusion policy is sending the message to future residents-

“Don’t bring more cars to your dwelling than the number of on-site car spaces provided for your dwelling because you will have no place to park them on the street.”

This is a strong message well received by existing neighbours (possibly objectors) to a medium density dwelling proposal.

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Some Councils deliberately selectively choose to under provide car parking in terms of the ResCode rates. The reasons they do this can include:-

- Improves housing affordability (car spaces can cost \$80,000 - \$100,000)
- Decrease traffic congestion
- Decrease parking demand
- Promote alternative transport (public transport, walking or bicycle riding).

Glen Eira has always applied the standard ResCode rates related to bedroom numbers and no change to this position is envisaged in this review. Glen Eira has on occasions allowed only lesser visitor rates where considered justified, for example, developments adjacent to a railway station. There are examples however, where lesser rates have been acceptable to VCAT.

If a need is seen to tighten up the issue of RPPs, it is considered preferable that this is linked to new development and residents rather than at the expense of existing residents.

5. Review

Four areas of the Exclusion policy are considered worthy of change. These are:-

- A. The current policy relates to where “extremely high levels of on-street parking demand exists in the immediate vicinity.” This has usually been taken to mean where parking restrictions presently apply and this in turn means parts of Housing Diversity policy areas.

Housing Diversity areas are where higher density dwellings are considered more appropriate because of their proximity to public transport and shopping centres. However, not all Housing Diversity areas are subject to parking restrictions at present but are likely to be in the future. Housing Diversity areas are areas where increased residential densities can be expected.

The suggested policy change is to simply exclude all medium density dwellings within a Housing Diversity area in recognition of likely future parking demand as well as existing parking demand.

- B. The policy currently applies where a development provides “reduced rates” of car parking. This is interpreted to be reduced from ResCode standards.

It is considered reasonable to apply the policy irrespective of the car parking rate applied. Even where ResCode rates are applied in full the Exclusions policy would be applied.

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C. The current policy has regard to “the size” of a development.

It is considered reasonable to apply the parking to all medium density dwellings which need a planning permit, that is, two dwellings or more.

The above 3 suggested changes all act to tighten up the policy to ensure less RPP will be issued or alternatively more dwellings will be excluded from being able to obtain a RPP.

D. Where developments are excluded from the RPP scheme it has been the practice, which is not part of the existing policy, over recent years to place an advisory note on any planning permit issued. A planning permit is a publicly discoverable document. The idea is to forewarn perspective purchasers that RPP's will not be issued for a particular dwelling.

It is considered the policy could be made more transparent via improved methods of advising perspective purchasers of excluded developments. Suggestions include:-

- On Council's website;
- A note on any planning permit issued; and
- If the development is an apartment style building (a building housing three or more dwellings), a permanent sign must be erected by the applicable planning permit holder in a prominent position on the subject land stating that “Residents of this development will not be issued Residential Parking Permits (including visitor parking permits).”

A draft amended policy is attached at Appendix 3.

6. Recommendation

That Council:-

- a. note this report;
- b. note the policy changes proposed to be introduced relating to:
 - all new medium density development in Council's Housing Diversity areas;
 - developments with reduced rates of parking;
 - two or more dwellings;
 - increased transparency for new owners/occupiers.
- c. adopt the attached amended policy “*Exclusion of Specific Developments from the Residential Parking Permit Scheme*”.

APPENDIX 1

RESIDENTIAL PARKING PERMIT SCHEME

❖	POLICY NUMBER:	13.6
❖	TITLE:	PARKING PERMIT SYSTEM
❖	ADOPTED BY:	Glen Eira City Council
❖	DATE ADOPTED:	14 April 2003
❖	DATE AMENDED:	24 November 2009
❖	REFERENCE IN LOCAL LAW 2009:	Clauses 501 and 502

1. Objective

1.1 To provide a transparent, equitable and merit based system that allows:

- residents and their visitors access to on-street public car parking in the immediate vicinity of their home; and
- tradespersons in nominated streets in the municipality access to on-street public car parking in the immediate vicinity of a location at which they are working.

2. Policy

2.1 Eligibility and conditions of the parking permit system shall be in accordance with attachment A.

2.2 Inclusion of streets in the parking permit system is at the Council's discretion. Prior to exercising its discretion in respect of a street proposed for inclusion, Council must consult the residents of the street. In deciding whether to include a street, Council must consider:

- merit and strategic objectives; and
 - the extent to which a proposed nomination would maintain equitable access to parking for all users.
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* **Relevant Legislation:**
Local Government Act 1989
 Glen Eira City Council Local Law 2009
Road Safety Act 1986
 Road Rules Victoria

* **Relevant Community Plan Goal:** Enhance the quality of life in Glen Eira

* **Cross References to other Policies / Documents:** Attachment A (*see following pages*)

* **Responsible Officer(s):** Director City Development

Attachment A to Parking Permit System, Council Policy 13.6

1. RESIDENT & VISITOR PARKING PERMIT SCHEME ELIGIBILITY & CONDITIONS

- (a) Any person who applies for a permit under clause 501 of the Glen Eira City Council Local Law must be a resident of the City of Glen Eira.
- (b) A maximum of three permits per property (any combination of Residential Permits and Visitor Permit) will be issued. Additional permits may be issued to the resident at Council's discretion and will include a fee fixed by the Council. Except that no fee will apply to additional visitor permits issued for "carers" of residents.
- (c) Where an applicant is the resident of a premises situated in a recognised commercial area and restrictions are applied in that commercial area, any permit issued will be for the nearest adjacent street only.
- (d) No permits will be issued enabling parking on the major streets or within off-street carparks of commercial areas within the municipality.
- (e) The applicant must produce proof of occupancy of a dwelling.
- (f) Permits are renewable in the month of December each year.
- (g) A Residential Permit issued to a specific vehicle may not be transferred to another vehicle or to any person not named on the application form.
- (h) Only the person whose name appears on the application form and who continues to reside at the dwelling named on the application for the permit is approved.
- (i) If a person holding the permit moves from the dwelling, the Council's Traffic and Parking Department must be advised.
- (j) Residential Parking Permits shall only be issued to residents who have parking restrictions outside their residence.
- (k) Visitor permits may only be used by bona fide visitors to the residence and misuse of this privilege by permit holders may result in the cancellation of permits.
- (l) Council reserves the right to exclude specific developments from access to the scheme in particular locations.
- (m) This permit scheme is limited to eligible residential properties/occupants only (not commercial properties/occupants).

2. TRADESPERSON PARKING SCHEME ELIGIBILITY & CONDITIONS

- (a) A maximum of four (4) permits per Building Site in residential areas can be issued for up to a maximum period of 90 days;

- (b) A maximum of two (2) permits per Building Site for emergency repairs or maintenance in commercial areas can be issued for up to a maximum of 3 days;
- (c) The applicant for the permit needs to demonstrate in their application that the permits are required for bona fide building activity and justify the time period required;
- (d) The permits are only to be used for vehicles associated with building activity on the site to which they have been granted;
- (e) The permit may be transferable between vehicles engaged in the building activity.

3. GENERAL ELIGIBILITY & CONDITIONS

- (a) Every permit and renewal of a permit must be applied for in writing on the application form, which is available from the Council's Traffic & Parking Department.
- (b) The loss of a permit must be reported to the Council's Traffic & Parking Department.
- (c) The permit must be firmly affixed to the front windscreen above or beside the registration label in such manner that it is clearly visible from the outside of the vehicle. Visitor's permits must be placed in a clearly visible location on vehicle's front dashboard.
- (d) The issue of a permit does not guarantee the availability of parking space to the holder.
- (e) The issue of a permit allows the respective vehicle to be left standing for unlimited periods excluding restrictions of one hour or less in the street named. It does not allow any vehicle to be left standing in statutory prohibited areas.
- (f) The use of parking spaces may be suspended by members of the Victoria Police Force and/or by authorised Authorised Officers.
- (g) Council reserves the right to withdraw Permits at any time subject to the giving of reasonable notice.
- (h) Permit holders who act contrary to the stated conditions may have their permits cancelled by Council.
- (i) Council reserved the right to introduce a permit fee for all parking permits.
- (j) If a permit fee is applicable it must accompany the permit application.
- (k) Council reserves the right to vary permit scheme entitlements between different locations.
- (l) The applicant for the permit is responsible for alerting users of the permit to the conditions of use.

APPENDIX 2

- * **POLICY NUMBER:** 13.12
 - * **TITLE:** Exclusion of Specific Developments from the Residential Parking Permit Scheme
 - * **ADOPTED BY:** Glen Eira City Council
 - * **DATE ADOPTED:** 26 May 2003
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1. Objective

- 1.1 To provide decision guidelines for the exclusion of specific developments from access to the Residential Parking Permit System.

2. Policy

- 2.1 New developments will be excluded from access to the Residential Parking Permit System if in Council's (or its delegate's) judgement:
 - Extremely high levels of on-street parking demand exists in the immediate vicinity; and
 - The development provides reduced rates of parking and there is a higher than normal possibility of those rates being exceeded by future occupants resulting in unacceptable levels of on-street parking; and/or
 - The size of the development is such that it will have the impact of magnifying any on-street car parking problems.
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- * **Relevant Legislation:** *Local Government Act* 1989, Glen Eira City Council Local Law 2000
- * **Relevant Community Plan Goal:** Enhance the quality of life in Glen Eira
- * **Cross References to other Policies / Documents:** Residential Parking Permit System
- * **Responsible Officer(s):** Director City Development

APPENDIX 3

(Changes underlined)

* POLICY NUMBER:	13.12
* TITLE:	Exclusion of Specific Developments from the Residential Parking Permit Scheme
* ADOPTED BY:	Glen Eira City Council
* DATE ADOPTED:	26 May 2003
DATE AMENDED:	11 June 2013

1. Objective

- 1.1 To provide decision guidelines for the exclusion of specific developments from access to the Residential Parking Permit System.

2. Policy

- 2.1 New developments will be excluded from access to the Residential Parking Permit System if:

- The proposed development is in a Housing Diversity Area;
- The development provides reduced or ResCode standard rates of parking; and
- The development is two or more dwellings.

- 2.2 To enable increased transparency for any new owner/occupiers of the excluded development, details of the exclusion will be provided as follows:

- On Council's website;
- A note will be placed on any applicable planning permit; and
- If the development is an apartment style building (a building housing three or more dwellings), a permanent sign must be erected by the applicable planning permit holder in a prominent position on the subject land stating that "Residents of this development will not be issued Residential Parking Permits (including visitor parking permits)".

* **Relevant Legislation:** *Local Government Act 1989, Glen Eira City Council Local Law 2009*

* **Cross References to other Policies / Documents:** Residential Parking Permit System

* **Responsible Officer(s):** Director City Development