

Banyule Residential Parking Permit Policy

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1. Introduction and Background

1.1 Purpose

This policy, the **Banyule Residential Parking Permit Policy 2023**, updates and replaces the Banyule Residential Permit Policy 2016-2020. Its purpose is to facilitate reasonable access to residential on-street public parking for residents and their visitors, while preserving access for all other legitimate road users.

1.2 Scope

This policy defines the process and eligibility criteria by which Council will allocate **residential vehicle parking permits** and **visitor parking permits** to Banyule residents.

1.3 Background

As Melbourne's population continues to increase, Banyule will change and expand to accommodate an increasing number of residents. This means increased housing density which, if not managed properly, can lead to more cars and more traffic in the municipality.

Parking management is a key challenge faced by Council. Banyule residents rate traffic concerns and car parking as some of the key issues in their local areas. However, providing additional on-street and off-street parking is problematic as additional parking increases traffic movements around activity centres, schools and key destinations, adding to the increasing levels of congestion in these areas. There are also many streets in Banyule where there is insufficient road space to accommodate traffic flow as well as on-street parking.

Given these limitations, Council aims to manage parking in an equitable manner with available car parking spaces allocated fairly for our visitors, customers and employees in our activity centres, and as managed in particular by this policy, our residents and their visitors in residential areas.

1.4 Legislative Context

Under the provisions of the **Road Management Act 2004** and the **Local Government Act 2020**, Council has the power, as the Road Authority, to manage roads in a manner that minimises any adverse effect on community safety and the environment. Council has also the power to fix, rescind or vary any fees in a parking area and the manner of payment for those fees.

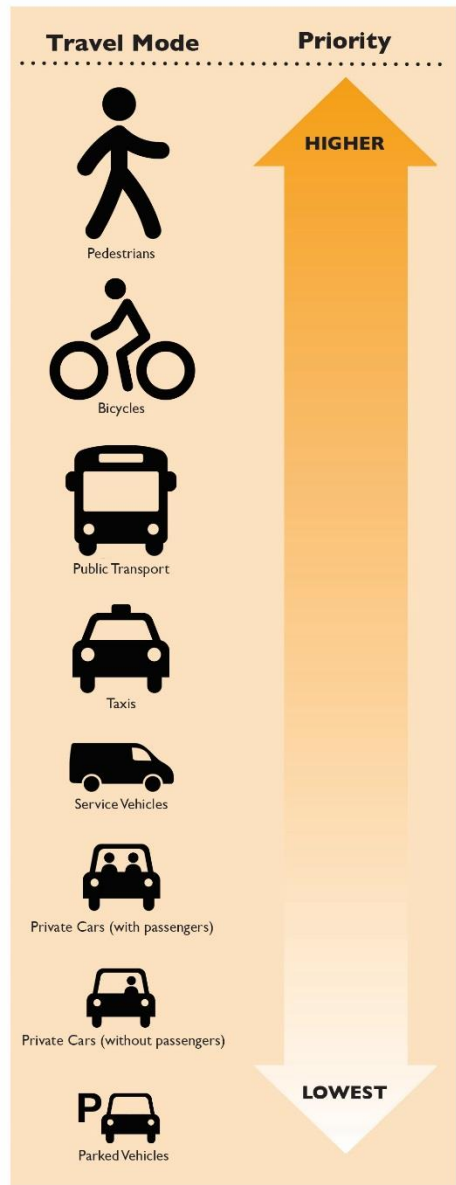
1.5 Policy Context

The **Council Plan 2022-2025** outlines a key direction that is relevant to parking in residential areas: *A well planned, sustainable and liveable place that caters for all our current and emerging communities;* which is supported by the key strategy: *Lead on the use of sustainable modes of transport, and encourage walking, cycling and use of public transport.*

Updating the Residential Parking Permit Policy (RPPP) responds to a key initiative from the Council Plan and is consistent with Council's commitment to providing fair and equitable management of road space as a resource.

The **Community Climate Action Plan (CCAP)** adopted in 2020, outlines how Council will achieve its goal of a carbon neutral municipality by 2040, without offsets. Zero emissions transport is a key priority area of the plan. Transitioning to zero emissions transport will require a major shift to active and public transport use. The RPPP will assist in achieving this outcome.

The **Banyule Integrated Transport Plan 2015-2035 (BITP)** provides long-term direction in transport and land use decisions in the municipality. The Streets and Public Spaces theme’s objective considers roads as places ‘where people live, work and congregate and provide access for a range of users to deliver a safe, integrated and efficient transport system’. The BITP also places significant emphasis on ‘managing road space to give priority to sustainable transport modes’, and ‘approaching parking as a limited, shared resource’.



Local Road User Hierarchy in Banyule

The **Activity Centre Car Parking Policy and Strategy (ACCPP)** was adopted by Council on 8 November 2010, giving guidance on the management of car parking in and around Activity Centres. A key objective of the ACCPP relating to car parking in residential areas was to help “protect residential areas close to Activity Centres from intrusion of car parking associated with commercial and higher density residential uses”.

The **On-Street Parking Management Framework** was adopted by Council in 2017 and provides guidance for the introduction of new parking restrictions or the modification of existing restrictions for all on-street parking within Banyule. It is intended as another tool to manage parking along with the Activity Centre Car Parking Policy and Strategy and this Residential Parking Permit Policy.

Banyule’s **Local Road User Hierarchy**, adopted in the BITP, guides the allocation of road space within Activity Centres and the local road network. Pedestrian, cyclists and public transport have priority above other road users, with parked vehicles the lowest priority. This ensures mobility and accessibility to services for the broadest section of the community and provides sustainable transport options to promote community health and wellbeing.

1.6 Policy Development Process

This Policy was developed by drawing on the following information sources:

- > A review of current literature and policy initiatives around Residential Parking Permit Policies.
- > A review of resident concerns and issues relating to Council's current Residential Parking Permit Policy and the scheme's operation.
- > Benchmarking Council's current Residential Parking Permit Policy against other metropolitan Council's policies.
- > Discussions with Banyule Council staff and Councillors.

2. Policy Statement

2.1 Vision

'Banyule is a city with accessible, sustainable and active communities, with fair and equitable access to local parking resources.'

2.2 Objectives

1. Ensure the equitable and balanced use of limited on-street parking resources, while providing some priority to local residents.
2. Protect residential amenity while providing equitable access to on-street parking areas for non-residential land uses.
3. Encourage long term resident parking in off-street parking areas where possible.
4. Manage road space to give priority to sustainable transport modes.
5. Provide a consistent policy and guidelines to manage the on-street car parking supply.

2.3 Principles

1. On-street parking will be available in a safe, convenient and Australian Standard compliant manner that supports the primary activities in the street resulting from land uses (both current and potential) for each area within the municipality.
2. On-street parking will not be allocated through the means of exclusive use of a single space or spaces by any one individual or group.
3. Residents will be encouraged to use alternative sustainable modes of transport for trips.

2.4 Policy Applicability and Review

Date policy/strategy approved by Council: 20 March 2023

This Policy will be reviewed whenever Council determines that a need has arisen. This policy will remain in place following review until an updated policy is adopted by Council.

Any person who wishes to provide input, feedback or comment on this Policy can do so in one of the following ways:

By email: enquiries@banyule.vic.gov.au
By post: PO Box 94 Greensborough 3088
By telephone: 9490 4222
By TTY: 9432 7211

2.5 Charter of Human Rights and Responsibilities

This policy is considered to be compatible with the Charter of Human Rights and Responsibilities.

3. Residential Parking Permit Scheme

3.1 Who can get a Parking Permit (Eligibility Criteria)

To be eligible for a parking permit as part of the Banyule Residential Parking Permit Scheme, an applicant must fulfil three criteria:

1. Be a resident of the municipality, in a property adjacent* to prohibitive parking restrictions (i.e. No Stopping, No Parking, or a Permit Zone) or adjacent* to timed restrictions of one hour or greater. This excludes statutory parking restrictions e.g. No Stopping within 10m of an intersection. (*) *adjacent means the parking restrictions in your street to the nearest intersecting street. If a residence has frontage to two streets, the term adjacent applies to either of the two streets.*
2. The ground floor frontage of the building must be wholly residential in nature.
3. No residential or visitor parking permit will be granted to any resident of a residential development where the dwelling was not occupied or lawfully available for occupation until after the permit exclusion date **8 November 2010** (date of adoption of Activity Centre Car Parking Policy) except:
 - a. where there is no increase in the number of dwellings and/or separate occupancies above the number that existed on the site as at 08 November 2010, or
 - b. where an increase in dwelling and/or occupancies has occurred but there are four or less dwellings on the equivalent development site.

Residential parking permits are **not available** to:

- Property owners (landlords) who lease their property or vacant land.
- Occupiers of properties used for commercial purposes.
- Occupiers of properties fronting private roads.
- Home businesses operating from a residential property unless they fulfil the above criteria.
- Residential parking permits will not be issued for use in relation to trucks, heavy vehicles, motor homes, caravans, boats, machinery or equipment, trailers or any vehicle or machinery that is designed or modified to be towed by another vehicle. *

**(At the time of renewal, permit holders will be advised that the forementioned vehicle categories are not eligible for a parking permit)*

3.2 What type of Parking Permit and how many Parking Permits?

Two types of parking permits will be available under the Residential Parking Permit Scheme:

- **Residential Parking Permits** are permits issued for a specific vehicle and are not transferable to another vehicle or to any person not named on the application form.

- **Visitor Parking Permits** are transferable permits that are to be used by bona fide visitors to the residence. Misuse of this privilege by permit holders may result in cancellation of visitor permits and exclusion from the parking permit scheme.

Council resolved in May 2011 to restrict or prohibit the issuing of on street parking permits to residential property occupiers of dwellings occupied after 8 November 2010 that are considered to have been built at a high density. The number of permits available to households take this into account as specified in Table 1 below.

Table 1 - Number of Permits Available per Dwelling

Certificate of Occupancy issued for Dwelling	Single or multi-unit dwellings	Residential Parking Permits (per household)	Visitor Parking Permits (per household)	Maximum Number of Permits (per household)
Before 8 November 2010.	Applies to all dwelling types	Up to 2	Up to 2	3*
After 8 November 2010	Single dwelling where there is no increase in the number of dwellings and/or separate occupancies above the number that existed on the site on or before 8 November 2010.	Up to 2	Up to 2	3*
	Higher density developments with between two (2) and four (4) dwellings built or not available for lawful occupation until after 8 November 2010.	1	OR 1	1
	Higher density development of five (5) or more dwellings built or not available for lawful occupation until after 8 November 2010.	Not eligible for any parking permits		

*No dwelling will be issued more than three parking permits. However, residents who currently hold four parking permits as allowed under previous Council policy (Residential Parking Permit Policy 2016-2020) will be able to continue to renew the fourth permit.

3.3 Parking Permit Area System

The Residential Parking Permit Scheme is based on an area system. This approach increases parking options and spreads parking demands in a local area. It has been designed to discourage car journeys within a local area.

The Residential Parking Permit Areas have been based on:

1. The location of major trip attractors for long-term parking

On-street parking is a very important component of the overall parking supply within Banyule. There are many users competing for limited kerbside space, as such, Council is committed to encouraging the most efficient use of on-street parking, and carefully managing all day parking in streets where there are competing uses in a planned, fair and consistent way.

The issuing of Residential Parking Permits provides residents with opportunity to park all day close to their property when it is an area of high parking demand. Therefore, it is fundamental that each parking permit area, in its location and sizing, does not promote relocating parking from one location within the parking permit area to another location.

Major attractors (popular destinations) include train stations and major bus stops, places of employment and activity centres. The sizes of parking permit areas around these major attractors were based on a 400m-800m walking distance, in accordance with the principles of the Activity Centre Car Parking Policy. Therefore, it is more likely that Parking Permit holders will walk to the local major attractor rather than drive the short distance.

2. Geographical features and the existing road network

Geographical features and the existing road network have also been considered in the development of the area boundaries. This includes locations away from activity centres and other major attractors, where parking permit areas have largely been informed by the existing road network, railway lines, creeks and parklands.

A map demonstrating the Residential Parking Permit Area Zones is provided in Appendix A.

3.4 Where can Permit Holders park (Eligibility Criteria)

Residential parking permits are available for the use of residents and their visitors. They must be used only to attend residence of issue, and are not to be used to visit any other property, even if it is within the boundaries specified on the permit.

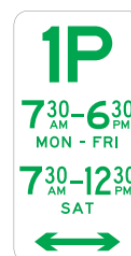
A vehicle displaying a valid parking permit may only be parked within the Residential Parking Permit Area for which it has been issued. The vehicle may be parked for any period of time in permit zones or in timed restricted parking zones of 1 hour or greater in accordance with the permit conditions.

Where a street forms the boundary of a Residential Parking Permit Area, permit holders will be permitted to park on both sides of the street.

Additionally, Residents of any property eligible for residential parking permits, which satisfy all the following conditions:

- o on the boundary of a parking zone,
- o affected by prohibitive parking restrictions along the length of the street, and
- o the closest parking within the eligible parking zone is over 200m distant,

will be able at Council's discretion to apply for one residential parking permit to park a vehicle in another closer street/zone. This will not apply to visitor parking permits.



An example of a time restricted parking sign



An example of a permit zone parking sign

Permits do **not** permit:

- parking in **No Stopping, No Parking, Clearways** or in any other location contrary to the Victorian Road Rules;
- parking on-street outside non-residential frontages for longer than the time indicated, for example outside schools, commercial properties or community centres;
- exemption from paid parking fees or parking longer than the time indicated within Paid Parking Areas;
- parking on-street for longer than the time indicated in locations where timed restrictions of less than one hour apply; or
- parking in off-street parking areas for longer than the time indicated.
- overstaying parking restrictions outside the residential permit area or outside the municipality.

Permit holders are liable for any infringements incurred whilst parked in contravention of the road rules or where in contravention of the above.

The issue of a permit does not guarantee the availability of a parking space to the permit holder.

3.5 How much do Parking Permits cost?

The cost of parking permits is set out in Council's schedule of fees and charges which is reviewed on an annual basis.

The cost of the first residential or visitor permit is set at a nominal cost to cover administration expenses. Subsequent permits are charged at increasing amounts to account for the increasing burden of car parking provision on Council. Current costs are provided on the Banyule website at <https://www.banyule.vic.gov.au/Parking-roads/Apply-for-a-parking-permit>

Concession Card Holders and Disabled Parking Permit Holders are eligible for a reduced charge.

3.6 Application Process

A Residential Parking Permit application form for permit/s must be completed and be accompanied by supporting documentation including:

- a) Ownership or occupancy of the premises for which parking permit are being applied for, i.e. a rate notice, electricity bill, or lease agreement.
- b) Ownership or legal possession of the vehicle or vehicles concerned, for example vehicle registration papers.
- c) If the vehicle is owned by another person or is a Company vehicle, written advice from the owner of the vehicle is required, stating that the vehicle is driven by the resident and is normally kept at the resident's address.

Online applications can be completed on Council's website or by visiting a Council Customer Service Centre. See details at <https://www.banyule.vic.gov.au/Parking-roads/Apply-for-a-parking-permit-application>

3.7 Duration of Parking Permits

Permits may be issued at any point of time within a financial year and will expire on 31 July following the end of financial year for which they are issued.

(For example, a permit issued on 1 July 2022 will expire on 31 July 2023. A permit issued on 1 January 2023 will expire on 31 July 2023).

Permit costs will be adjusted on a pro-rata basis at time of issue (to the nearest whole month). The onus is on permit holders to seek permit renewals, however, reminder to renew notices will be posted to permit holders within 60 days of the renewal date. Reminder to renew notices will include a condition that, at the time of renewal, permit holders are to be advised that the following vehicle categories are not eligible for a parking permit: *trucks, heavy vehicles, motor homes, caravans, boats, machinery or equipment, trailers or any vehicle or machinery that is designed or modified to be towed by another vehicle.*

3.8 Parking Permit Cancellation

It is an offence to use or obtain a parking permit that has not been legally issued to you. Under the Banyule General Local Law, you could be fined or have your permit cancelled if you:

- Sell, give away or rent any parking permit,
- Accept or use any parking permit that has not been officially administered by Council, or
- Forge or counterfeit any vehicle permit or knowingly distribute a forged or counterfeit parking permit.

Further, visitor parking permits are intended for short stay visits to the permit residence, and any misuse of the visitor permit by the permit holder may result in cancellation of visitor permits and exclusion from the parking permit scheme.

3.9 Parking Permit Eligibility Review

Residents may request a review if they are unsatisfied with their entitlement for a parking permit/s. Grounds for review will be limited to circumstances of:

- Demonstrated personal or family disability or hardship;
- Demonstrated temporary loss of access to onsite parking due to public works or essential decommissioning of onsite parking;
- Demonstrated irregularities in the application of the eligibility requirements set out in section 3.1 of this policy, or
- The residential property is located on a street on the boundary of a parking zone, and the street has prohibitive parking restrictions along its length, and the closest parking within the eligible parking zone is over 200m away.

A request for review must be provided in writing and should clearly demonstrate which of these circumstances are considered to apply. It should be either emailed to: enquiries@banyule.vic.gov.au with the subject line: Residential Parking Permit Reviews Panel or posted to:

Banyule City Council

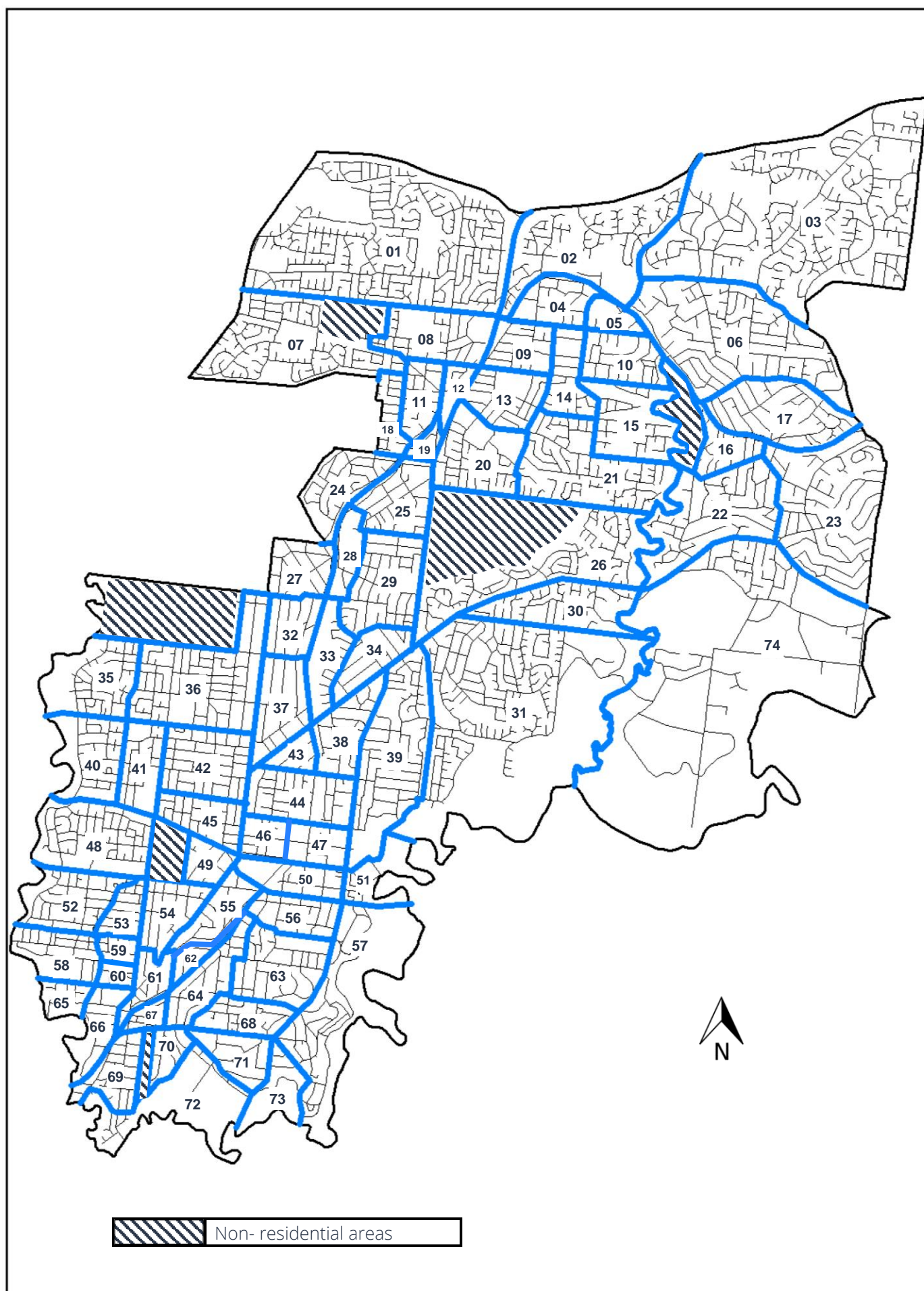
Residential Parking Permit Reviews Panel

PO Box 94

Greensborough VIC 3088

Reviews will be undertaken by Council's Residential Parking Permit Reviews Panel, which consists of supervisory Transport Officers. The Panel will consider the request and make a recommendation to the Transport Manager for a final decision. Each case will be considered on its own merits.

Appendix A – Residential Parking Permit Area Map



Appendix B – Definitions

For the purposes of this policy the following definitions apply

Term	Definition
8/November/2010	Council resolution (11/5/2011) to restrict or prohibit the issuing of on street parking permits to residential property occupiers of dwellings occupied after 8 November 2010 (date of adoption of Activity Centre Car Parking Policy and Strategy) that are considered to have been built at a high density.
Activity Centre	Means a mixed-use urban area where there is a concentration of commercial and other land uses including residential.
Clearway	A clearway is a section of road where parking and stopping is not allowed at the times shown on the clearway sign.
Commercial Purposes	Means the property is used primarily for business activities.
Home business	Means a business that is carried on in a dwelling, or in a building ancillary to a dwelling, such as a garage or a studio
No Parking	Means if there is a 'no parking' sign, you can stop for 2 minutes in that area: <ul style="list-style-type: none"> • if you are picking up or dropping off passengers or goods, • you stay within 3 metres of your vehicle. <p>If you stop in, or partly in, an area showing a no parking sign and you are not picking up or dropping off passengers or goods, you are considered to be parked and can be fined. This is the case even if you stay with your vehicle.</p>
No Stopping	Means if there is a 'no stopping' sign, you are not allowed to stop or park your car in, or partly in, that area for any reason. Dropping off or picking up passengers or goods in a 'no stopping' area is not permitted.
Off-street parking	Means an area designed for parking a vehicle off-road i.e., driveway, carport, garage etc.
On-street parking	Means an area designed for parking a vehicle on-road.
Permit area	Area as defined on the Banyule Permit area map where vehicles with parking permits are permitted to stop or park and are exempt from timed restrictions greater than one hour.
Resident	Means a person who lives at a residence within the municipality and is so named on the Banyule Electoral Roll, or who provides documentary proof of such, e.g. copy of Lease, Tenancy Agreement etc.
Residence	Means the principal or sole dwelling house of a resident which is occupied as such and the word 'resides' means to be a resident in the principal or sole dwelling house.
Residential parking permit	Means a non-transferable parking permit issued to a resident and associated with a particular motor vehicle registration. Residential parking permits are electronic and linked with your vehicle registration.

Residential parking permit reviews panel	Panel of supervisory transport officers.
Supervisory transport officer	A person appointed by Council under section 224 of the <i>Local Government Act 1989</i> . Provisions relating to authorised officers are saved and continue to operate under the 1989 Act. Equivalent provisions relating to authorised officers have not carried over to the 2020 Act. This will be the subject of a separate project in the future.
Vehicle	Means a sedan/station wagon or hatch and includes a small van or utility, which is currently registered to a City of Banyule address (resident and visitor parking permit applications only), or if not registered to a City of Banyule address, documentary proof can be provided that the applicant is afforded sole use of the vehicle (company vehicle), but does not include any van over 4.5 tonne in weight, any truck, caravan, boat or trailer and does not include any vehicle over 7.5 metres in length.
Visitor	Means a person attending a residence for a short-term period for the purpose of social interaction, provision of health or social support and/or care or the delivery of routine domestic related services, including gardening, cleaning and/or general property maintenance.
Visitor parking permit	Means a visitor parking permit held by a resident and allocated for use to any genuine visitor to the residence. Visitor permits are a laminated holographic permit and must be displayed on the vehicle dashboard.