

Residential On-street Parking Policy

Policy Type:	Council Policy
Responsible Department:	Economic Development and Planning
Responsible Officer:	General Manager Economic Development and Planning
Related Policies and Procedures	COU Joint Venture On-Street Parking COU Car Parking Contribution Fund
Date Adopted:	26 May 2014, C 1144
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1. POLICY STATEMENT

- 1.1 The City of Unley recognises the need to provide adequate parking commensurate with the local environment, legislation and the often diverse requirements of residents, visitors and businesses. The City of Unley recognises that some residential streets are subject to demand from non-residential parking.
- 1.2 This policy gives guidance to the implementation and enforcement of Council's obligations to manage on-street parking under Federal and State Legislation. The policy will be enforced consistently and fairly across the City to achieve an equitable use of available on-street parking.

2. COMMUNITY GOAL

M3.1 Equitable parking throughout the City

3. POLICY OBJECTIVES

The key objectives of this Policy are to:

- 3.1 Provide clear instruction regarding the provision of a fair and equitable process in assessing and meeting the needs of all road users within the City of Unley (the 'City')
- 3.2 Optimize the use of available on-street parking in a manner that best meets all needs and complements the role of available off-street parking provisions

- 3.3 Encourage long term resident parking in off-street parking areas where possible.
- 3.4 Describe the process of determining eligibility for residential parking permits (the permits)

4. PRINCIPLES

The key principles of the Policy are:

- 4.1 On-street parking will be available in a safe, convenient and appropriate manner that supports the primary activities in the street resulting from land uses (both current and potential) for each area within the City.
- 4.2 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.
- 4.3 On-street parking will be controlled through the implementation of time limit or resident only permit parking controls, for which a warrant must be established; and
- 4.4 Permits will not be issued to residents of community or strata titled dwellings or other multi dwelling buildings if granted development approval on or after 1 November 2013.
- 4.5 A fundamental principle of the policy is to eradicate so called “commuter parking” where vehicles are parked in the City of Unley whilst the driver of the vehicle then walks or catches public transport to the CBD.

5. POLICY

5.1 The establishment of Parking Controls

5.1.1 Time Limit Parking Controls

Time limit controls may be introduced by Council on a section of street to facilitate improved parking access where the street has a demonstrated parking availability issue.

In order for Council to consider the introduction of time-limit parking controls in any street within the City, an investigation will be undertaken to ascertain a warrant and justification. The investigation will consider the availability of on-street parking, the availability of off-street parking and the views of the majority of the residents regarding the introduction of the controls.

The investigation will include an ‘On-street Parking Occupancy Survey’ undertaken over a 2 week period to ascertain on-street parking conditions and the overall availability of on-street parking during peak times, excluding traditional holiday periods.

As a general guide, Council may consider that reasonable on-street parking exists if the results of the survey indicate that 50% (or more) of the overall number of on-street parking spaces are available 50% (or more) of the overall survey period.

5.1.2 Resident Parking Only Permit Zones

A Resident Parking Only Permit Zone is very exclusive and significantly limits parking access by non-resident road users. The installation of Resident Parking Only Permit Zones will be considered in extenuating circumstances and at the absolute discretion of the Council. Such zones may be for defined times only or be in force at all times.

A Resident Parking Only Permit Zone may be considered upon request from a resident if it suggests that there is a conflict between the on-street parking supply and demand in the street in which the resident lives at a particular time, or during a particular period. This may include streets where there are high numbers of residences without off-street parking. Evidence such as a petition should be provided that indicates fellow residents and other relevant stakeholders within that street support this view.

Council may consider that a Resident Parking Only Permit Zone is warranted if, following an 'On-street Parking Occupancy Survey' undertaken over a 2 week period, reasonable on-street parking is not available in close proximity.

In the event that residents are severely inconvenienced by commuter parking, Council will endeavour to remedy the situation, by an interim solution, within 48 hours.

5.2 Eligibility for Residential Parking Permit

To be eligible to receive a permit, an applicant must:

- 5.2.1 Be a resident of the City in a property adjacent to where parking controls indicate resident only and/or time limit parking.
- 5.2.2 Submit evidence of residency at the time of application (refer Application Form for details).
- 5.2.3 Have an applicable registered vehicle(s) which is not a truck, trailer, caravan, boat or bus with proof of registration that the vehicle is garaged at that property.
- 5.2.4 Have eligibility for the permit in accordance with Table 1.
- 5.2.5 If an applicant resides in a dwelling where off-street parking capacity has been reduced by development (such as conversion of a garage or carport to a habitable room or store) then eligibility for a permit may be determined by off street parking capacity prior to the development.
- 5.2.6 Residents of multi-dwelling residences granted development approval on or after 1 November 2013, are not eligible for residential parking permits.

5.3 Number of Permits

Subject to meeting the eligibility criteria a maximum number of permits will generally be issued as shown in Table 1.

Table 1 – Streets with Resident Parking Only Permit and Time Limit Parking Zones

Number of off-street car parks on the property	Number of vehicles registered at this property	Maximum number of and type of Permits
0	0	1 transferable
0	1	1 fixed and 1 transferable
0	2+	2 fixed and 1 transferable
1	0	1 transferable
1	1	1 transferable
1	2	1 fixed and 1 transferable
1	3+	2 fixed and 1 transferable
2	0	0
2	1	0
2	2	1 transferable
2	3+	1 fixed and 1 transferable
3+	0	0
3+	1	0
3+	2	0
3+	3+	1 transferable

Residents requiring permits in excess of the entitlement outlined in Table 1 may apply for *permits issued in excess of entitlements*.

5.4 Types of Residential Parking Permits

Permits may be provided to residents of the City in order to exempt them from parking controls which apply directly adjacent to their property.

These permits shall only apply within the parking zones defined by the Council and in the manner specified by the Council.

Only transferable permits can be used on different vehicles. Other permits are vehicle specific.

5.4.1 Resident Only Parking Exemption Permits

A “Resident Only Parking Exemption” is a permit issued to a resident which allows the vehicle specified on the permit to park in the Resident Only Permit Zone, or overstay the time limit zones in the street to which the permit applies.

5.4.2 Time Limit Parking Exemption Permits

A “Time Limit Parking Exemption” is a permit issued to a resident which will allow a specified motor vehicle to overstay time limits in time restricted parking areas indicated by parking control signs.

Time Limit Parking Exemption Permits can only be used in time limit zones in a street indicated on the permit. They are not permitted to be used in Resident Parking Only Permit Zones.

5.4.3 Temporary Parking Permits

A Temporary Parking Permit may be issued to an applicant which temporarily

(or for a period of time determined appropriate by Council) exempts the holder of the permit to the time limit / residential parking controls in a street for which permit is issued. The permits will be issued at the sole discretion of the Council. The permits are generally issued to tradesmen who have a business reason/activity in the local street.

Application forms for Residential Parking Permits are available on the City of Unley website.

Note: The holder of a permit is not guaranteed a parking space in the street for which the permit is issued.

5.5 Conditions for issue of Permits

5.5.1 Every permit must contain details describing:

- (1) The type of permit.
- (2) The registration number of the motor vehicle in respect of which the parking permit was issued (except for transferable permits).
- (3) The zone number (street code) to which the permit applies.

5.5.2 Permits (including transferable) issued in respect to specific Resident Only Parking Permit and Time Limit zones shall be displayed on the lower left hand side (passenger side) of the windscreen or the front dashboard.

5.5.3 Every holder of a permit who changes his or her place of residence shall forthwith remove such permit from the motor vehicle to which it is affixed.

5.5.4 The Council may, upon written application to it:

- (1) Renew a permit which has expired for a period not exceeding 24 months.
- (2) Issue a replacement residential permit for a motor vehicle which has been lost or destroyed or when a motor vehicle has been sold upon payment of a fee fixed by Council for the issue of such replacement, providing a statutory declaration by the holder of the permit is supplied confirming that the original permit has been lost or that the motor vehicle has been sold.

5.5.5 A permit will not allow the holder to contravene any other breaches or provisions of the Road Traffic Act 1961, the Australian Road Rules and Council By-Laws in relation to the parking of motor vehicles.

5.5.6 If an infringement notice for parking in accordance with the permit is received, the holder of the permit is required to make written submission to Council for the notice to be waived, but any other infringement notices must be expiated as normal. Failure to display a valid permit is not in itself a reason for Council to waive expiation.

5.5.7 Council may, by notice in writing, revoke any residential parking permit/s where:

- (1) The holder of a permit ceases to reside in the dwelling in respect of which the permit was issued, or
- (2) In the opinion of Council, it is no longer appropriate that the resident/ residents of particular street/streets are issued with permits.

5.6 Duration of Permits

Permits may be issued at any point of time within an annual period and will apply to the end of the biennial period for which they are issued. All permits expire on 31 December of the biennial period with fees adjusted on a pro-rata basis at time of issue.

The onus is on permit holders to seek permit renewals (and remove and replace with the new one). Reminder notices will be posted to the permit holders within 60 days.

5.7 Fees

A biennial fee for each permit issued shall apply, as determined by Council through the annual review of the Fees and Charges schedule.

Permits issued in excess of the entitlements will incur a fee, as determined by Council through the annual review of Fees and Charges.
Current fees payable are shown on the City of Unley website.

6. DEFINITIONS

For the purpose of this policy:

"Area" means the area of the municipality of the City of Unley.

"Authorised Officer" includes any person so authorised by the Corporation of the City of Unley.

"Council" means the delegated officer/s of the City of Unley.

"Dwelling" shall have the same meaning as in the Development Control Regulations.

"Exempted Residential Motor vehicles" includes motor vehicles:

- *belonging to residents of the residential sections in which residential parking permit zones have been established, and*
- *displaying a residential parking permit exempting motor vehicles from the parking restriction i.e. within the residential permit zone denoted or time restricted zone as designated on the residential parking permit as issued.*

"Motor vehicle" means a motor vehicle built to be propelled by a motor that forms part of the Motor vehicle as in the Road Traffic Act.

"Off-street car park" means a space for parking a vehicle on a residential property, providing that the maximum number of spaces counted on that property, where vehicles can only park in a single file, is two spaces.

"Parking Permits" mean an exemption 'label/sticker/disc' to the eligible applicant

"Permits issued in excess of entitlements" means permits issued by Council in excess of the entitlements for a dwelling as shown in Table 1. These permits will only be issued if an assessment by Council deems there is available on-street parking capacity to absorb additional parking.

"Resident Parking Only Permit" means a permit exempting an occupier from compliance with parking restrictions in the street or road specified in the permit.

"Resident Parking Only Permit Zone" means a parking space(s) indicated by signs that parking is only permitted for vehicles displaying a Resident Parking Only Permit/

"Site" shall have the same meaning as in the Development Control Regulations.

"Warrant" shall mean an intervention level to introduce, change, or amend the parking controls and is determined based on the parking survey/s results and off-street parking provision in a local street.

7. LEGISLATION/REFERENCES

- Road Traffic Act 1961
- Expiation of Offences Act (1996)
- Local Government Act (1999)
- Australian Road Rules (1999)

This policy applies to Council by "Notice to Council" by the Minister for Transport through:

- the Road Traffic (Australian Road Rules) Regulations 1999 Rule 185 "Stopping in permit zones";
- Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 1999, clause 14 'Permits for permit zones' for parking in permit zones;
- Road Traffic (Miscellaneous) Regulations 1999, clause 46 'Power of exemption' for parking time limit zones and ticket parking

8. POLICY DELEGATIONS

- General Manager Economic Development and Planning
- Manager Transportation and Traffic
- Parking and Traffic Advisor
- Team Leader Parking and Rangers

9. ROLES/RESPONSIBILITIES

- Manager Transportation and Traffic

10. AVAILABILITY

The policy is available for public inspection during normal office hours from;
Civic Centre
181 Unley Road
Unley SA 5061

A copy may be purchased for a fee as determined annually by Council.
It is also available for viewing, download and printing free of charge from the Council's website, www.unley.sa.gov.au

11. DOCUMENT HISTORY

Date:	Council/Committee/Internal	Comment:
		Previous numbers 4.4.01 and COU64
16 August 2010	CSP 348/10	
26 August 2010	C 717/10	
12 June 2012	CSP 113/12	
25 June 2012	C 443/12	
29 January 2013	C 656/13	
26 August 2013	C 875/13	
26 May 2014	C 1144/14	Was policy number COU51. Previously called "Parking – Residential" policy.