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PERTH PARKING MANAGEMENT ACT 1999

**PERTH PARKING
MANAGEMENT
REGULATIONS 1999**

**PERTH PARKING
POLICY**

Perth Parking Management Act 1999

Perth Parking Management Regulations 1999

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Perth Parking Management Regulations 1999*.

2. Commencement

These regulations come into operation on the day on which section 7 of the *Perth Parking Management Act 1999* comes into operation.

3. Interpretation

In these regulations, unless the contrary intention appears —

“**ACROD sticker**” has the same meaning as in the *Local Government (Parking for Disabled Persons) Regulations 1988*;

“**Act**” means the *Perth Parking Management Act 1999*;

“**fire brigade**” means a brigade as defined in the *Fire Brigades Act 1942*;

“**vehicle of a disabled person**” means a vehicle —

- (a) in which a disabled person is either the driver or a passenger; and
- (b) which is identified with an ACROD sticker in accordance with regulation 5 of the *Local Government (Parking for Disabled Persons) Regulations 1988*.

4. The Perth parking management area

The area within the bold dashed line shown as the boundary of the Perth parking management area on the diagram in Schedule 1 is prescribed as the Perth parking management area for the purposes of section 6 of the Act.

5. Exemptions

For the purposes of section 7(c) of the Act, a vehicle is parked in prescribed circumstances if —

- (a) the vehicle is parked in or on a building, or on land on which there is a building, by or for a permanent resident of the building, and is parked in a space set aside for the use of the resident by the owner of the building;

- (b) the vehicle is parked in or on a building, or on land on which there is a building, by or for a person who is visiting a permanent resident of the building, and is parked in a space set aside for the use of such visitors by the owner of the building;
- (c) the vehicle is parked in or on a building, or on land on which there is a building, by or for a permanent resident of the building who works from his or her home in the building;
- (d) the vehicle is parked in an area provided by the City of Perth for the use of people attending a special event, and a person who attends the event is either the driver of the vehicle or a passenger in it.

6. Applications for a parking bay licence

- (1) For the purposes of section 8(2) of the Act, an application by the owner of land or a building for a parking bay licence for the land or building is to include or be accompanied by the following information —
 - (a) the name and address of the applicant;
 - (b) the address of the land or building;
 - (c) an approval under the *Town Planning and Development Act 1928* indicating the number of parking bays approved and the uses for which they have been approved.
- (2) However, if the approval referred to in subregulation (1)(c) was issued before the commencement of these regulations, then, instead of the approval, the application may be accompanied by a statutory declaration in accordance with section 106 of the *Evidence Act 1906* that declares that the approval was issued and that indicates the number of parking bays approved and the uses for which they have been approved.

7. Parking bay licence fees

- (1) The annual fee payable for the issue or renewal of a parking bay licence for the parking facilities described in the second column of an item in Schedule 2 is the fee set out in the third column of the item.
- (2) However, if a licence fee is paid in instalments with the permission of the CEO under section 11(2) of the Act, the annual fee payable for the licence under subregulation (1) is increased by 5%.

8. Variation of parking bay licences

- (1) For the purposes of section 15(2) of the Act, an application by a licensee for the variation of a parking bay licence is to include or be accompanied by the following information —
 - (a) the name and address of the licensee;

- (b) the address of the land or building to which the licence applies;
 - (c) particulars of the variation sought; and
 - (d) the approval referred to in subregulation (2), if required.
- (2) If the number of parking bays to be permitted by the varied licence would be greater than the number permitted by the approval under the *Town Planning and Development Act 1928* that was lodged with the application for the licence or for an earlier variation, the application for variation must be accompanied by a further approval under that Act indicating approval for the increase in the number of parking bays and indicating the uses for which the additional bays have been approved.

9. Infringement notices

For the purposes of section 19(1) of the Act, an infringement notice may be given for an offence described in the third column of an item in Schedule 3 that is alleged to have been committed under the provision of the Act specified in the second column of the item.

10. Modified penalties for infringements

The modified penalty for an offence referred to in an item in Schedule 3 is the penalty set out in the fourth column of the item.

11. Form of infringement notice

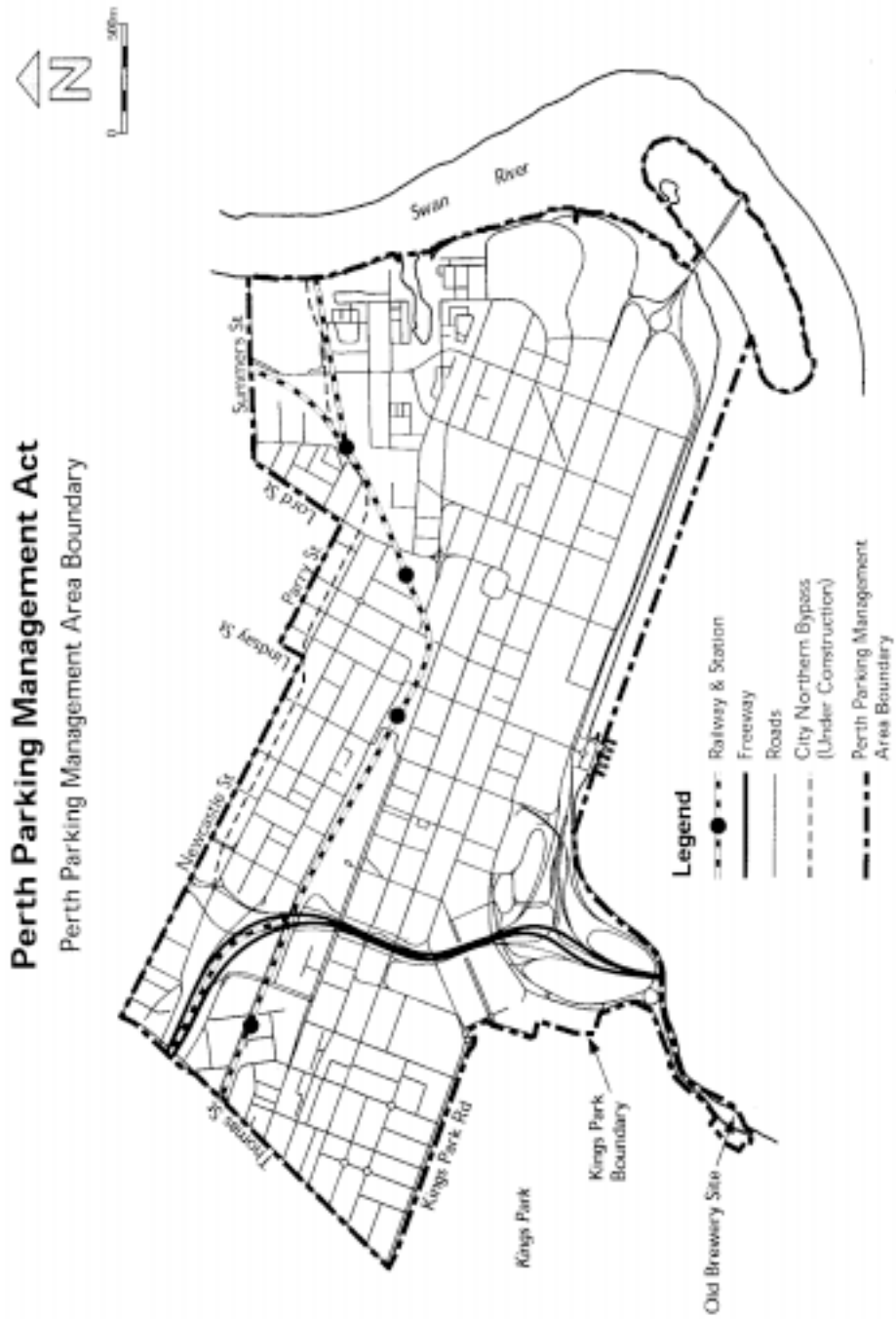
For the purposes of section 19(2) of the Act, the form of an infringement notice is the form set out in Schedule 4.

12. Form of notice of withdrawal of infringement notice

For the purposes of section 19(6) of the Act, the form of a notice of withdrawal of an infringement notice is the form set out in Schedule 5.

Schedule 1 — The Perth parking management area

[r. 4]



Schedule 2 — Licence fees

[r. 7]

Item	Parking facilities	Annual licence fee \$
1.	a parking facility that has only 5 parking bays or fewer for the use of vehicles (excluding parking bays of a kind referred to in any of items 2 to 10)	nil
2.	a parking bay that is identified in accordance with regulation 4 of the <i>Local Government (Parking for Disabled Persons) Regulations 1988</i> and that is set aside for parking vehicles of disabled persons	nil
3.	a parking bay in a commercial parking facility leased to a resident of the City of Perth who has no access as a resident of the City to exempt parking facilities of the kind referred to in regulation 5(a) or (c)	nil
4.	a parking bay clearly identified as being solely for vehicles engaged in unloading or loading goods or passengers	nil
5.	a parking bay set aside solely for a vehicle being used to transport patients or blood, or to deliver meals to the aged or infirm or to a hospital	nil
6.	a parking bay being used for a vehicle that forms part of a display, such as a vehicle offered as a prize in a raffle	nil
7.	a parking bay set aside for the use of passenger buses during layover periods	nil
8.	a parking bay used solely for parking an ambulance being used for operational purposes or a vehicle being used for operational purposes by a member of the Police Force or a member of a fire brigade	nil
9.	a parking bay used solely for servicing, inspecting, repairing, fuelling or maintaining vehicles	nil
10.	a parking bay used solely for a vehicle that forms part of the stock of a business of a motor vehicle dealer who holds a licence under the <i>Motor Vehicle Dealers Act 1973</i>	nil
11.	<p>a facility that has more than 5 parking bays for the use of vehicles (excluding bays set aside for the exclusive use of vehicles referred to in any of items 2 to 10) —</p> <ul style="list-style-type: none"> • for each motor cycle bay • for each bay for the use of any other kind of vehicle 	<p>35</p> <p>70</p>

Schedule 3 — Infringement notice offences and modified penalties

[rr. 9, 10]

Item	Provision of Act	Description of offence	Modified penalty \$
1.	Section 7	permitting a vehicle to be parked on the land or in or on a building in the Perth parking management area for which no parking bay licence is in force	500
2.	Section 14	failing to give notice of a change in the ownership of land or a building for which a parking bay licence is in force	200
3.	Section 18(1)	failing to comply with a parking bay licence	500
4.	Section 18(2)	advertising or otherwise indicating that parking is available on land or in or on a building for which a parking bay licence is in force while the licence does not permit parking as advertised or otherwise indicated	500
5.	Section 18(3)	advertising or otherwise indicating that parking is available on land or in or on a building in the Perth parking management area for which no parking bay licence is in force	500
6.	Section 22	obstructing an inspector in the performance of his or her functions or the exercise of his or her powers under the Act	500

Schedule 4 — Form of infringement notice

[r. 11]

Perth Parking Management Act 1999

Perth Parking Management Regulations 1999

INFRINGEMENT NOTICE

Date of this notice/...../.....

To:

of:

Details of vehicle (if applicable)

It is alleged that on/...../..... at

you committed the following offence —

.....
.....
.....

contrary to section of the *Perth Parking Management Act 1999*.

The modified penalty for the alleged offence is \$.....

If you do not wish to have a complaint of the alleged offence heard and determined by a court, you may pay the amount of the modified penalty shown above to the Director General of Transport at within 28 days after the date of this notice.

Name and title of inspector giving this notice

.....

Signature

.....

Schedule 5 — Form of notice of withdrawal of infringement notice

[r. 12]

Perth Parking Management Act 1999
Perth Parking Management Regulations 1999

NOTICE OF WITHDRAWAL OF INFRINGEMENT NOTICE

Date of this notice/...../.....

To:

of:

Infringement notice No. dated/...../..... that was issued for the alleged offence of

.....
.....
.....

contrary to section of the *Perth Parking Management Act 1999* has been withdrawn.

The modified penalty of \$.....

- was paid, and a refund is enclosed
- was not paid and should not be paid

(delete as appropriate)

Name and title of inspector giving this notice

.....

Signature

.....

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.

Perth Parking Management Act 1999

Perth Parking Policy

Preamble

This policy sets out the approach of the State Government and the City of Perth to the development and management of parking facilities within the City of Perth. It was developed jointly by the State Government and the City of Perth and forms an integral component of the broader planning framework for the city.

The policy places considerable emphasis on achieving a desirable level of car access to the city and on establishing a desirable number of car parking bays in the city. Thus, while recognising that vehicular access to the city is a critical element in ensuring the city's continued financial viability, the policy seeks to balance this requirement with the preservation and enhancement of the environment of the city. The policy, therefore, seeks to encourage a balanced transport system for gaining access to the city. In doing so it supports the objectives of the Metropolitan Transport Strategy and Access Plan for Perth which have already been endorsed by the State Government, as well as the principles established by the City of Perth City Planning Scheme No. 2 and the Public Places Enhancement Strategy.

The policy will provide guidance to the State Government in exercising the powers conferred upon it by the *Perth Parking Management Act 1999*, and to the City of Perth in providing a clear framework for assessing applications for parking facilities under the City of Perth City Planning Scheme. While the State Government will be charged with the responsibility of licensing parking facilities in the Perth Parking Management Area, the City of Perth will retain its powers in regard to development approvals for such facilities.

An important benefit of the policy will be the framework it provides for assessing the likely impacts of proposed parking facilities. This framework will integrate such assessments into the broader context of transport and planning objectives for the city rather than assess such developments in isolation. This will provide comprehensive and consistent criteria for dealing with proposals both to redevelop or upgrade existing facilities, or provide new facilities. It will also provide a logical framework for evaluating community benefits which proponents may offer to provide in seeking tenant parking allowances above the desirable levels established by the policy.

This policy may be amended from time to time by the Minister for Transport following consultation with the Ministers for Planning and the Environment and the City of Perth.

The revenue raised through the licensing of parking spaces will be spent in the Perth Parking Management Area to give effect to this Policy, as

determined by the Minister for Transport following consultation with the City for Perth. Matters to be funded by the revenue include the Central Area Transit (CAT) System and improvements to that system, improving public transport access, enhancing the pedestrian environment, supporting bicycle access and other initiatives which support a balanced transport system for the city.

1. Introduction

This policy has been developed by the State Government in consultation with the City of Perth. It has been ratified by both the State Government and the Council of the City of Perth and provides a consistent framework under which the State Government can apply the provisions of the *Perth Parking Management Act 1999*, and the City of Perth can apply the provisions of the City of Perth Town Planning Scheme, in managing parking in Perth.

2. Objectives

The policy aims to support a balanced transport system for accessing the city. More specifically it seeks to:

- Ensure the continued economic vitality of the City of Perth.
- Improve accessibility to, and within the city, for all users.
- Improve the air quality and the physical environment of the city.
- Keep the impacts of vehicular traffic within acceptable limits.
- Encourage the efficient use of parking facilities in the policy area.
- Provide a framework for the development of parking facilities within the city.

3. Principles

In seeking to achieve the above objectives the policy will apply the following principles to parking in the city:

- An adequate range of parking facilities will be provided and managed having regard to demand, availability of public transport, road capacity, traffic flow, land use and environmental conditions.
- In the heart of the city pedestrians will have priority; surrounding the pedestrian heart the emphasis will be on the provision of short term parking. New public long term car parks may be located outside of the central area.
- The policy will not be applied retrospectively to existing parking facilities for which appropriate approvals have been gained, but where site re-development occurs proposals will be assessed in terms of the policy.
- The level of desirable tenant parking will vary according to the category of street from which such facilities take access;

the general principle is that allowances are lower where access has greater detrimental impact on pedestrian movement.

- Parking facilities should complement their surroundings and provide a convenient service without causing undue disruption or loss of amenity to surrounding uses.
- Off street parking areas should be located and designed so they are an integral part of the development of the site. Disabled and cycling parking facilities should be visible and conveniently located.

4. **Area of Application**

This policy shall apply to the Perth Parking Management Area established by regulation under the *Perth Parking Management Act 1999*.

5. **Policy Provisions**

The provisions governing the establishment of parking facilities within the policy area break down into:

- Zones governing the provision of public parking.
- 'Desirable' and 'Maximum' number of bays per hectare for tenant parking dependent on the category of the street from which access is taken.

5.1 *Public Parking*

In this policy:

Short-stay public parking facilities are those generally available to the public where at least 50% of vehicles stay less than 4 hours; and at least 90% stay less than six hours; and

Long-stay public parking facilities are those generally available to the public for use without time constraints.

This policy establishes three parking zones for public parking (see Figure 1):

Pedestrian Priority Zone (PPZ)

Within this zone:

- Short-stay public parking facilities may be permitted providing that they do not require access from streets within the Pedestrian Priority Zone.
- In any redevelopment affecting existing parking facilities access shall, wherever possible, be altered to eliminate access from streets within the Pedestrian Priority Zone.
- Access and parking for service and delivery vehicles will be permitted subject to controls to limit impacts on pedestrian movement within the zone.
- Further long-stay public parking will not be permitted.

Short-Stay Parking Zone (SPZ)

Within this zone:

- Public short-stay parking facilities may be permitted subject to compliance with the provisions of this policy.
- Further public long-stay parking facilities will not be permitted.

General Parking Zone (GPZ)

Within this zone:

- Public long-stay and short-stay parking may be permitted subject to compliance with the provisions of this policy.

5.2 Tenant Parking

In this policy, tenant parking is parking available, generally on site, for the exclusive use of tenants/occupants of city commercial buildings.

New tenant parking will be permitted within the policy area subject to the limits set out in Table 1 and the priority of the street from which the proposed facilities will be accessed (see Figure 2).

Table 1: Tenant Parking Allowances.

Street Priority	Desirable Allowance (bays per hectare)			Maximum Negotiable Allowance (bays per hectare)		
	At Grade Access	Integrated Access	Grade Separated Access	At Grade Access	Integrated Access	Grade Separated Access
Category 1	Replace Existing	Replace Existing	Replace Existing	Replace Existing	Replace Existing	Replace Existing
Category 2	100	200	200	100	200	300
Category 3	150	200	200	200	250	300
Category 4	200	300	300	200	300	300

In applying the above provisions limits will be maintained at the 'Desirable Allowance' unless the proposal is part of a development which is deemed by the City of Perth to confer significant community benefits, in which case increases up to the 'Maximum Allowance' may be considered.

The use of tenant parking facilities in new developments shall generally only be leased by tenants of that building, unless the City of Perth approves leasing by other parties.

6. Criteria for Evaluation of Proposals for Parking Facilities

In making an application for the development of parking facilities, applicants shall actively consider and, where required document, the likely impacts of the proposal. Such consideration shall, as a minimum, address the evaluative criteria set out below.

In considering an application for the development of parking facilities within the policy area the authority(s) shall take into account the following matters;

- (a) the impact that the proposed parking facility would be likely to have on the amenity of the environment within the Perth Parking Management Area.
- (b) the availability of public transport in the vicinity of the proposed parking facility.
- (c) the impact of the facility on traffic flows within the area.
- (d) the impact that establishing and operating the parking facility would have on pedestrian movement in the vicinity of the facility.
- (e) any other relevant matters.

Where a proposed new parking facility, or alteration to an existing parking facility, due to its magnitude, location or type, is likely to result in a significant impact on the city, the proponent must provide a Traffic Impact Statement to permit assessment of the project.

7. Special Provisions

7.1 Residential parking

In this policy residential parking is parking used solely in conjunction with residential uses.

The number, location and layout of parking areas for residential developments shall comply with the provisions of the City of Perth City Planning Scheme.

Off street car parks may be used for the provision of residential parking subject to the provisions of this policy, and the approval of the City of Perth.

7.2 Events parking

Subject to the approval of the City of Perth, areas used intermittently for parking vehicles in association with special events are exempt from the provisions of this policy.

7.3 Parking for people with disabilities

Parking facilities for people with disabilities shall as a minimum comply with the relevant current Australian Standards, and the provisions of the Disabilities Discrimination Act.

7.4 Bicycle parking

Bicycle parking facilities in new developments and established premises should be provided in accordance with the City of Perth City Planning Scheme (Bicycle Policy).

7.5 *Special Purpose Bays*

The provision of bays marked exclusively for the use of motor cycles, bicycles, delivery and service vehicles, taxis, buses and coaches and courier services may be provided on streets or required on-site where the nature of the development, in the view of the relevant authority, requires such bays.

7.6 *Combined Parking*

More than one type of parking may be permitted within a single parking facility.

8. Vacant Land and Buildings

Vacant land and buildings awaiting redevelopment within the policy area may not be temporarily used for parking.

This Policy has been developed pursuant to section 5 of the *Perth Parking Management Act 1999* in co-operation with the City of Perth. It is published with the approval of the Minister for Transport, the Minister for Planning and the Minister for the Environment.

MIKE HARRIS, Acting Director General of Transport.

14/7/1999

PAUL D. OMODEI, MLA, A/Minister for Transport.



Perth Parking Management Act Tenant Parking Policy

Figure 2



- Legend**
- Railway & Station
 - Freeway
 - City Northern Bypass (Under Construction)
 - Perth Parking Management Area Boundary
 - Category 1 Existing / planned pedestrian malls.
 - Category 2 Streets with large concentrations of pedestrians and forming an integral part of the pedestrian network of the Central Area.
 - Category 3 Streets with lower concentrations of pedestrians but which contribute to the pedestrian network.
 - Category 4 Streets with relatively low concentrations of pedestrians at this stage.

Perth Parking Management Act

Perth Parking Policy Phased Introduction

Figure 3

