

Residential Parking Permits Policy 2022

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1. Introduction

1.1. Purpose

Council's residential parking permit scheme provides a balance of on-street parking opportunities for residents, their visitors and other parking demands.

Parking restrictions are a necessary part of Council's responsibility in managing parking resources. This Policy is fundamental to achieving effective outcomes for the community that:

- Provides a fair, equitable and efficient parking system for residents and visitors
- Provides a clear, transparent and evidence based approach to introduce parking permit areas
- Allows eligible residents of City of Whitehorse to park in designated areas (on-street car parking) that have been designated for residential permits
- Ensures there is a balanced need between users and ensures that traffic safety is not adversely impacted.

1.2. Scope

This Policy defines the eligibility criteria and circumstances in which the following types of parking permit may be issued:

- Vehicle Specific Permit Sticker
- Visitor Parking Permit

Stakeholders in this Policy include:

- Residents and their visitors
- Department of Transport (VicRoads)
- Victoria Police
- Whitehorse City Council staff
- Broader community

2. Background

In some areas within the municipality, on-street car parking is becoming increasingly difficult to find, especially in areas impacted by retail/commercial activity, recreational activity, construction activity, multi-unit developments and commuters driving to public transport. The combination of these activities and the growing demand for car parking has led to a decrease in the availability of on-street car parking in many residential areas.

One of the strategies outlined in the *Whitehorse City Council Plan 2021-2025* is *Strategic Direction 4: Our Built Environment; Movement, and Public Places*.

Having established permit parking areas, Council is able to respond to the growing demands for car parking. This will be achieved through the provision of available parking opportunities for residents, visitors to residential properties where parking restrictions apply.

This Policy describes the eligibility criteria and circumstances, in which a person may be issued with a parking permit. Council reviews car parking demands to cater for community needs and to provide a fair and efficient parking system for residents and their visitors.

This Policy supersedes current policies and practices to improve the management and provision of on-street parking needs of the community.

2.1. Policy Context

Schedule 11 (Powers of Councils Over Traffic) of the *Local Government Act 1989* empowers Council to operate a residential parking scheme and to generally create permit parking areas (zones) and any fees for such parking areas. This is also supported by the provisions of the *Road Safety Road Rules 2017* and *Council's Amenity Local Law*.

This Policy aligns with the *Whitehorse City Council Plan 2021-2025, Objective 4.1.1: Plan, build, renew and maintain community assets and facilities to meet current and future service needs in an environmentally, financially and socially sustainable way.*

Access Plans and Parking Studies will further guide the implementation of parking restrictions in specific areas. The following documents and Schemes are also relevant to this policy and its associated procedures (if an issue date is not specified, the most recent version of the document will apply):

1. Whitehorse City Council Planning Scheme
2. Whitehorse City Council Residential Parking Scheme
3. Box Hill Metropolitan Activity Area Parking Policy (guiding principles)
4. Relevant operating procedures
5. *Infringements Act 2006*
6. *Local Government Act 1989*
7. *Road Safety Act 1986*
8. *Road Safety Road Rules 2017*
9. *Road Management Act 2004*
10. *Victorian Charter of Human Rights and Responsibilities Act 2006*
11. *Privacy and Data Protection Act 2014.*

2.2. Corporate Framework

This Policy supports Council's Mission and Vision and aligns with the Strategic Objectives of the *Whitehorse City Council Plan 2021-2025*.

2.3. Guiding Principles

The guiding principles for this policy have been developed with reference to the Whitehorse Council Plan 2021–2025.

These principles are designed to inform the fair and just implementation, monitoring and review of this policy in balance with enforcement requirements.

2.3.1 Enhanced Amenity and Safety

- Protection and enhancement of community safety, amenity and the local environment.
- Equity and Social Inclusion
- Balancing the parking resource in a fair, ethical, sustainable and controlled manner to support and promote equitable access, inclusion and community engagement.
- Stakeholder needs are identified and responded to in the development and review of the Policy.

2.3.2 Quality Improvement and Responsible Management

- This policy is monitored and reviewed on a regular basis as part of a continuous quality improvement process.

Table 1: Guiding Principles of Parking Management in the Whitehorse City Council

Strategy	Strategic Objectives:	Aligned Strategies
Strategic Direction 4: Our Built Environment; Movement, and Public Places	Objective 4.1: Assets, facilities and urban design of a quality that provides the highest levels of utility and enhances the connection between the built, natural, heritage and social environments.	4.1.1: Assets, facilities and urban design of a quality that provides the highest levels of utility and enhances the connection between the built, natural, heritage and social environments.
		4.1.2: Prepare strategies and guidelines that set expectations for the quality of development and urban design outcomes for a place.

2.4. Policy Objectives

The objectives of the Residential Parking Permit Policy are:

1. To provide balanced access through permits, to parking for various permit users including residents and their visitors in the Whitehorse City Council;
2. To preserve access to parking for other legitimate road users in the municipality such as shoppers, commuters and general visitors, including people with disabilities and the elderly;
3. To ensure that car parking does not affect the amenity of the locality;
4. To promote community safety and social inclusion through an expanded scope of Residential Visitor Permit use;
5. To shape the development of associated procedures, practice guidelines and communication tools to inform residents and other key stakeholders of the parking permit policy (and any changes to the aforementioned) in the City of Whitehorse;
6. To ensure the utility, relevance and appropriateness of the Residential Parking Permit Policy to the users and other key stakeholders of associated parking permits;

7. To support fair, equitable, efficient and transparent management of parking permit application and renewal processes; and
8. To inform and maintain compliance with the Residential Parking Permit Policy and any associated procedures in accordance with the conditions of each permit and related legislative requirements.

2.5 Commencement of Parking Permit Policy

This Policy was adopted by Council on 28 November 2022.

3. Policy Development Process

The development of this Policy has been informed by the aforementioned legislative and policy frameworks as well as Council's parking studies which have included reviews of the literature, parking analysis and community needs assessment of specific areas within the municipality.

The following methods were also used in the development of this Policy:

3.1. Benchmarking

Benchmarking was undertaken with a number of inner city municipalities with similar demands for on-street parking.

3.2. Community Consultation

The Policy was developed in consultation with the community via an online survey, Council's Community Safety Department including the Parking Services Team, Transport Team and Customer Service Departments were also consulted.

4. Policy

4.1. Policy Statement

Where parking restrictions have been implemented in residential areas within the Whitehorse City Council, on land which Council is responsible for enforcing those parking restrictions, Council may apply the Residential Parking Permit Scheme.

Residential Parking Permit Scheme will be in accordance with:

1. The relevant legislative provisions and Local Laws that apply; and
2. The procedures, process and conditions developed by the Chief Executive Officer and his or her delegates for the management of Residential Parking Permits.

4.2. Parking Permit Scheme

The Residential Parking Permit Scheme in the Whitehorse City Council incorporates residential parking managed according to the permit types described in this Policy. The Residential Parking Permit Scheme in Whitehorse City Council is implemented in accordance with relevant operating procedures, legislative provisions and local laws that may apply.

The purpose of residential parking permits is to give eligible residents greater opportunity to park near their property, however they are not guaranteed that a parking space will be available.

4.2.1 Types of Parking Permits

There are two types of parking permits available under this Policy.

1. Vehicle Specific Parking Permit

Residential Parking Stickers are permits issued to a specific vehicle which are permanently attached to the vehicle windscreen and are not transferable between vehicles.

2. Visitor Parking Permit

Visitor Parking Permits are transferrable permits for use by residents and their visitors and can be easily transferred between vehicles.

4.2.2 Duration of Parking Permits

Residential Parking Permits are valid for a maximum of 12 months.

4.2.3 Applying for a Parking Permit

Application can be lodged;

- a) Online via www.whitehorse.vic.gov.au
- b) By completing an application form which is available via www.whitehorse.vic.gov.au or from Whitehorse Council Service Centres.

Included in the application must be one form of evidence that confirms the property is the applicant's primary residence and the prescribed payment.

4.2.4 Eligibility

- Any person who applies for a permit must be a resident of the City of Whitehorse.
- The applicant must produce proof of occupancy of a dwelling. This can be any of the following that details the applicant's name and residential address:
 - A valid driver's license
 - A residential lease or REIV bond lodgement
 - A bank statement
 - Any connected utility bill e.g. gas, electricity or phone account, or an email/letter acknowledging the account set up
 - A pension or seniors health card care.

Note: Rates notices are not acceptable because it does not prove residency.

- Permits will only be issued to eligible residential properties (not retail or commercial properties). Council defines a residential property as being a property that is used entirely for residential purposes. Properties that have a mixed use (such as apartments/units on upper floors and a café/shop/business on the ground floor) are not considered residential.
- The property must be applicant's principal place of residence.
- Permits will only be issued if the resident lives at a property where there is 15 dwellings or less on a lot i.e. high-rise apartments or unit developments.
- Permits will only be issued to residents who have parking restrictions within streets that have a time limited restriction of 30 minutes or more and/or a permit zone.

4.2.4.1 Box Hill Metropolitan Activity Centre (BHMAC) Parking Permits

Only single dwellings with the [Box Hill Metropolitan Activity Centre](#) are eligible for permits. Any multi-dwelling development (more than one dwelling on the block e.g. duplex, apartments, town houses, units etc.) are not eligible for a residential parking permit.

Residents who live within the BHMAC in single dwellings are subject to the same eligibility criteria as detailed above.

4.2.4.2 Rooming House Parking Permits

Residents of a rooming house are subject to the same eligibility criteria as detailed above.

4.2.4.3 Temporary Parking Permits

Council may offer temporary residential parking permits where construction is taking place in the area. Council will notify effected residents and they can accept these parking permits for a defined period of time. The cost of these parking permits will be incurred by the developers only when there is an endorsed Construction Management Plan outlining the need to provide temporary parking permits.

Council will request proof of residency from the applicants to verify their eligibility.

4.2.4.4 Service Parking Permits

Service permits provide short term exemption (up to a month) from timed restrictions for tradespeople, removalists, etc. servicing Whitehorse residents who are not eligible for visitor parking permits.

To be eligible for a service permit, an applicant must:

- Reside in a property in Whitehorse on a street where time restricted parking or residential permit zone restrictions apply on one or both sides of the street.
- Produce evidence of residency in Whitehorse – current driver’s license, utility bill (not mobile phone), residential lease agreement.
- Produce evidence of tradespeople, removalists, etc. servicing the residence (e.g. quote or receipt) specifying the dates when the work will take place.

4.2.4.5 Carer Parking Permits

Carer Parking Permits may be available to residents who require ongoing support from Care Workers to maintain independent living. Each application will be assessed based on the individual circumstances.

Council may request proof of residency from applicants and other supporting documents to verify eligibility.

4.2.4.6 Event Parking Permits

Event Permits are 24-hour permits that are available for vehicles to access your home for one-off events like a party, funeral, wedding or other occasions.

Council may request proof of residency from the applicants to verify the eligibility.

4.2.5 Permit Eligibility Review

Residents are entitled to apply for a review of their Residential Parking Permit application if they meet exceptional circumstances.

For example:

- Demonstrated personal or family hardship – dependant on circumstances, parking permits maybe issued up to a twelve month period. These parking permits will not be renewed. However, if a permit is required for a further period of time, a new application must be submitted.
- Demonstrated temporary loss of access to onsite parking due to public works or essential decommissioning of onsite parking.
- If residential parking is unavailable immediately outside the residence (e.g. Clearway or No Stopping zones).

Any resident wishing to have their application for exceptional circumstances reviewed may make a request in writing to City of Whitehorse Manager of Community Safety and clearly state the reasons why the decision should be reviewed. The applicant may be requested to provide appropriate evidentiary documentation to support their application.

4.2.6 Vehicle Eligibility

- Passenger vehicles; and
- Utility vehicles with a payload of not more than 1500kg (Payload is the vehicle’s Gross Vehicle Mass (GVM) which is vehicle’s kerb mass)

The following vehicles are not eligible for a Residential Parking Permit:

- Trucks
- Buses
- 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
- Vehicles with a Payload of 1500kg or more.

4.2.7 Unauthorised Parking Permit Use

A permit holder must not:

1. Lease out, rent out, lend or sell a parking permit to another person or duplicate a permit;
2. Charge any person a fee to use a parking permit or accept any consideration (monetary or otherwise) from a person for the use of a permit;
3. Give or otherwise provide a parking permit to any person not entitled to use the permit under the Parking Permit Policy;
4. Allow or assist any other person, not entitled to use a permit under the policy, to misuse the permit contrary to the Parking Permit Policy.

Any form of reproduction or advertising of a permit for rent, lease, sale, profit or other beneficial or fraudulent consideration, or causing such an advertisement to be published, is a contravention of the Residential Parking Permit Policy and the conditions of the permit. This may result in the cancellation or suspension of permits or restrictions being placed on permit eligibility for up to the remaining life of the permit. No refunds will be given where a permit is cancelled due to breach of permit conditions.

Council may take a range of enforcement actions including issuing an infringement notice or prosecution for any unauthorised use of a Residential Parking Permit in accordance with the [Community Local Law 2014](#) or any relevant legislation.

A permit holder has the right to appeal the cancellation or suspension of permits.

They may make a request in writing to City of Whitehorse Manager of Community Safety and clearly state the reasons why the decision should be reviewed.

4.2.8 Parking Permit Conditions

Refer to **Appendix One**

4.2.9 Maximum Number of Residential Parking Permits Available to Residents

Dwellings per Lot	Maximum Number of Parking Permits
One dwelling	Three permits
Two to three dwellings	Two permits
Four to fifteen dwellings	One permit per dwelling
More than 15 dwellings	No permits

Note: Box Hill Metropolitan Activity Centre residents – please refer to 4.2.4.1

4.2.10 Cost of Parking Permits

Residential Parking Permit fees help cover the cost of issuing parking permits and maintaining resident parking signs.

- Council charges annual fees for Residential Parking Permits as per the schedule of fees published on the Whitehorse city Council website.
- Fees are reviewed annually as part of Council's budgeting process.
- Once approved, Council does not issue fee refunds unless
 - a) Council has been required to cancel the permit due to a change in a law or regulation that impacts the conditions upon which the permit was issued;
 - b) Residential Parking permit application has been refused.
- The annual fee for a residential parking permit will be waived in areas where it has been agreed to trial or temporarily introduce parking restrictions. If parking restrictions are permanently put in place, residents may apply for a residential parking permit in accordance with this policy.

4.2.11 Concession Card Holder Discounts

The following concession card holders are entitled to receive their first parking permit free of charge.

- Pensioner Concession Card issued by Centrelink, Commonwealth Department of Health and Aged Care or Commonwealth Department of Veteran's Affairs
- Health Care Card issued by Centrelink, Commonwealth Department of Health and Aged Care or Commonwealth Department of Veteran's Affairs
- Commonwealth Department of Veteran's Affairs (DVA) Gold Card.
- Commonwealth Department of Veteran's Affairs (DVA) Gold Card specifying War Widow
- Commonwealth Department of Veteran's Affairs (DVA) Gold Card specifying TPI

4.2.12 Parking Restrictions

Vehicles displaying a Residential Parking Permit are exempt from parking restrictions in timed parking areas greater than half an hour. The parking permit does not allow breaches of the *Road Safety Act 1986* or the *Road Safety (Road Rules) Regulations 2009*. These exemptions do not extend to:

- Shopping precincts
- Off Street car Parks
- Restrictions on arterial roads
- Clearways
- No stopping areas
- Accessible Parking areas
- Bus Stops
- Taxi Ranks
- No Parking Areas
- Loading Zones
- Across driveways
- Construction zones
- Centre Reservations
- Nature strips and Footpaths
- Any other statutory offence.

Please note this is not an exhaustive list and may include other restrictions.

4.2.13 Renewal of Parking Permits

Renewal of parking permits is not automatic. Council will send current residential parking permit holders a renewal application and it is the permit holder's responsibility to renew the parking permit.

4.2.14 Replacement Parking Permits

A parking permit can be replaced if a Parking Permit sticker is required for a new vehicle as the original vehicle associated with the parking permit has been sold, written off, windscreen broken or the quality of the parking permit has diminished. The applicant should provide appropriate evidence (e.g. vehicle transfer document, windscreen repair, insurance documents etc.). A replacement cost applies.

Parking permits that are no longer required or damaged must be returned to Council before replacement parking permits will be issued.

Falsely claiming that a permit is lost or misplaced to obtain an additional permit may result in criminal prosecution and/or suspension of any permits issued by Council. For first or subsequent offences, Council may take a range of enforcement action including issuing an infringement notice or prosecution.

4.2.15 Lost or Stolen Parking Permits

Lost or stolen parking permits must be reported to Council as soon as possible. A Statutory Declaration is required for lost or stolen parking permits to replace the parking permit. A replacement cost applies.

4.2.16 Parking Permit Cancellations

Parking permits must not be transferred, sold to another person or duplicated. If parking permits are used in breach of the conditions of issue, fraudulently, or applied for with false or misleading information to the City Whitehorse may withdraw one or all parking permits issued.

A Residential Parking Permit issued under this policy may be suspended or cancelled at any time by members of the Victoria Police or authorised Council Officers.

No refunds will be given where a permit is cancelled due to breach of parking permit conditions.

4.3. Rights and Responsibilities of Permit Holders and Users

All permit holders and permit users have rights and responsibilities. Permit holders, as custodians of a permit, are responsible for the safekeeping and compliant use of the permit. By accepting a permit, a permit holder or user has an understanding that an infringement may result from a breach of the permit conditions. All permit holders and permit users are required to deliver up permits issued under this Policy to an Authorised Council Officer or a member of Victoria Police when directed to do so. While permits are issued to permit applicants for use in accordance with this Policy and the permit conditions, all permits issued under this Policy remain the property of the City of Whitehorse.

5. Implementation and Monitoring

This Policy introduces an expanded scope of practice for the management of parking permits in the City of Whitehorse. The monitoring and review of the Policy will ensure its ongoing relevance, utility and appropriateness for key stakeholders.

5.1. Accountabilities

The Chief Executive Officer is formally recognised as having ultimate accountability and responsibility for issuing Residential Parking Permits under this Policy.

The Director City Development is responsible for overseeing Policy implementation.

The Manager Community Safety will be responsible for the administration, monitoring and compliance of this policy and the related procedures. The Manager will also be responsible for ensuring that Council fulfils its legal responsibilities with regard to operating a Residential Parking Permit Scheme.

Where a person is aggrieved by a decision to refuse to grant or renew a parking permit, that person may appeal in writing to the Manager Community Safety. Similarly, any person aggrieved by the withdrawal of their parking permit privileges for misuse may appeal in writing to the Manager Community Safety. Appeals must be in writing and clearly state the grounds relied on for review.

The Coordinator Community Safety Support will be responsible for ensuring that:

1. Administrative staff in Community Safety are trained in applying this policy, procedures, processes and conditions to applications for Residential Parking Permits;
2. The integrity of the Residential Parking Permit databases is maintained and the renewal processes for Residential Parking Permits is undertaken;
3. Accurate information about Residential Parking Permits is provided on Council's website;
4. Accurate advice about Residential Parking Permits is provided in response to enquiries from prospective applicants;
5. Infringement appeals are processed in accordance with this policy and associated procedures; and
6. The residential parking permit scheme is administered in accordance with the *Privacy and Data Protection Act 2014*.

The Parking Services Coordinator Community Safety will be responsible for ensuring the on-road Council parking enforcement officers are well trained and appropriately equipped with respect to the implementation and application of this Policy and process.

5.2. Financial Implications

The administrative costs in terms of maintaining and updating the integrity of the Parking Permit databases and the implementation of this Policy and associated procedures will be accommodated within existing operating budgets.

6. Definitions

6.1. Definitions

- **Business** - A person, organisation or group of persons who conduct a business either under a registered business name and/or registered company.
- **Permit holder** - The person or company named as the applicant in a parking permit application form and to whom a permit is issued.
- **Resident** - A permanent inhabitant of a property and includes an owner-occupier and/or an occupier.
- **Residential area** – An area that falls within a Residential zone under the Whitehorse Planning Scheme.
- **Residential Parking Permit** - Refers to either a Vehicle-Specific Parking Permit or Visitor Parking Permit
- **Temporary Parking Permit** - A permit issued with short-term validity where residents are impacted by construction in the immediate vicinity of their property
- **Vehicle Specific Parking Permit** - A non-transferable, permit issued to a resident and associated with a particular motor vehicle.
- **Visitor Parking Permit** - A permit that is transferable between vehicles and may be used by residents and their visitors.

Appendix 1 – Residential Parking Permit Conditions

- This permit is valid when:
 - Used by a resident permit holder or their visitors within the residential area of the address the permit is issued
 - The permissive parking restriction allows parking for at least 30 minutes or more in a permit zone
 - A Vehicle-Specific or Visitors Parking Permit is securely displayed face up on the passenger side of the vehicle front windscreen so all details remain clearly visible from outside the vehicle.
 - Used in a designated time restricted residential parking zones only
 - The annual permit fee is paid.

- This permit is **not** valid when
 - Used in areas outside the area designated on the permit
 - Used in no stopping areas, clearways, bus zones, off-street car parks or similar
 - Vehicles are parked over driveways or on footpaths, nature strips or medium strips or parked in non-residential areas including commercial, industrial or mixed-use areas or off-street car parks
 - Used after the expiry date
 - Used for vehicle with a Payload of 1500kgs or more, or for heavy vehicles, motorhomes, caravans, boats, machinery or equipment, trailers or any vehicle or machinery that is designed or modified to be towed by another vehicle

- Permits are not transferable and are only to be used by bona fide residents and visitors
- Permits are not to be leased, rented out, sold or given away
- Permits are not to be copied and the copies then used in other vehicles
- No form of advertising of a permit for rent, lease, sale, profit or other beneficial or fraudulent consideration, or causing such an advertisement to be published is permitted
- The issue of a permit does not guarantee the availability of a parking space
- The use of parking spaces may be suspended by a member of Victoria Police or by an Authorised Council Officer
- Visitor residential parking permits should be issued to the visitor on arrival and returned to the permit holder at the end of the visit
- Visitor residential parking permits are only valid when a visit to the residence is taking place.

Please Note: Any breach of the conditions may result in the cancellation of permits.