

# **Car Parking Policy in the CBD Area**

*The development of a local planning policy for car parking in the CBD Area.*

**June 2005**

**Mildura Rural City Council**

## Introduction

Mildura Rural City Council has commissioned the preparation of a local planning policy for the provision of car parking in the “City Heart” Area of Mildura (the “CBD”).

The new local planning policy is to guide Council, and the development community in decision making when considering future applications which may require the provision of on-site car parking in the Mildura CBD area.

The study methodology adopted for the project included research, consultation and evaluation leading to:

- Definition of the area to include in the review.
- Consideration of implications for isolating the CBD from the rest of the municipality:
- Consideration of new rates applicable to the Mildura CBD:
- Discussion of local criteria for waiving or reducing car parking.

Consultations were conducted with officers of Mildura Rural City Council (including planning, engineering and local laws); Mildura CBD Traders; Designers; Developers; Agents and Public Transport operators.

The first part of this report contains all of the background research including details of the Mildura Planning Scheme; supply and demand within the CBD; parking habits in the CBD Area; and an analysis of the criteria used to waive or reduce car parking in Mildura.

The second part of the report contains the proposed modifications to the Planning Scheme including MSS changes and the local planning policy.

# 1. CAR PARKING CONTROLS IN CONTEXT

## 1.1 Mildura Planning Scheme

The new format Mildura Planning Scheme was introduced on 22<sup>nd</sup> December 1999. The Mildura Planning Scheme, like all other planning schemes in the State, is based on the “Victoria Planning Provisions” (VPP’s) which is a “model” planning scheme structure introduced by the State Government. All seventy eight Councils in the State now have a new format planning scheme based on the VPP model.

The strategic aspects of the Mildura Planning Scheme are required to be reviewed every three years.

Council engaged consultants to facilitate and document the “3 Year MSS Review” process in 2003. Following familiarisation with the existing scheme, the project consultants facilitated a detailed workshop with senior planning staff and Councillors to identify how the existing scheme was performing; strategic issues that needed review; and specific issues that were needed to be addressed. The project consultants followed this meeting with a review of recently completed strategic reports and a review of current planning applications.

During this initial investigation phase, one-on-one meetings were held with representatives of various agencies and detailed workshops were held with members of the developer (and wider) community to discuss the performance of the scheme.

An important outcome of the consultation phases of the Three Year Review was the commissioning of further strategic work identified by agencies and the development community.

Having identified deficiencies with the existing Local Planning Policy Framework (LPPF) and other aspects of its existing scheme, Council confirmed its intention to proceed with an Amendment inclusive of a new LPPF and consequent rezonings and “tidy ups” arising from work done over the previous 3 years. Council drafted a revised Local Planning Policy Framework as the first step in the amendment process, to address the raft of issues raised during consultation with Councillors, staff, community and other agencies.

Council’s formal MSS and Three Year Review Report and a report recommending the exhibition of an amendment was presented to full Council at its Special meeting of 27<sup>th</sup> November 2003. At this meeting Council also formally resolved to exhibit Amendment C28 for a period of 2 months. This amendment has now proceeded through the exhibition and Panel process and was adopted by Council and forwarded to the Minister for Planning on 17<sup>th</sup> March 2005.

One of the features of new planning schemes in Victoria is that they contain standard statewide provisions for a variety of matters including (among other things) controls on car parking. These controls cannot be changed, and so the same provisions apply for car parking in (say) Melbourne as they do in Mildura. So as to give expression to local needs, the VPP’s provide an opportunity for a Council to develop a local planning policy at Clause 22 of its scheme enabling them to say how a Council will exercise the discretion in its own planning scheme.

The purpose of this discussion paper is to analyse the issues relating to car parking in the CBD area of Mildura with a view to preparing a new local policy at Clause 22.

## 1.2 Existing Clause 52.06 of the Mildura Planning Scheme

The Mildura Planning Scheme (like all other schemes) contains Clause 52.06 which specifically relates to car parking provision. The expressed purpose of this Clause include:

*To promote the efficient use of car spaces through the consolidation of car parking facilities.*

*To ensure the provision of an appropriate number of car spaces having regard to the activities on the land and the nature of the locality.*

The Table to Clause 52.06-6 specifies a rate of car parking based on the **use** of the land. It specifies the following rates for typical uses (among others) which arise in Mildura:

USE	CAR SPACE MEASURE	RATE
<b>Residential building, other than specified in this table</b>	Car spaces to each lodging room	1
<b>Dwelling, other than Caretaker's house if at least 2 on a lot</b>	Car spaces to each dwelling	2
<b>Shop other than specified in this table</b>	Car spaces to each 100 sq m of leasable floor area	8
<b>Restaurant</b>	Car spaces to each seat available to the public	0.6
<b>Office other than specified in this table</b> <b>Postal agency</b>	Car spaces to each 100 sq m of net floor area	3.5
<b>Hotel or Tavern if the floor area available to the public exceeds 150 sq m</b>	Car spaces to each 100 sq m of bar floor area available to the public, plus  Car spaces to each 100 sq m of lounge floor area available to the public	60  30
<b>Hotel or Tavern if the floor area available to the public does not exceed 150 sq m</b>	Car spaces to each premises	2
<b>Industry other than specified in this table</b> <b>Mail centre</b>	Car spaces to each 100 sq m of net floor area	2.9
<b>Medical centre</b> <b>Veterinary centre</b>	Car spaces to each practitioner	5
<b>Convenience shop if the leasable floor area exceeds 80sq m</b>	Car spaces to each premises	10
<b>Place of assembly</b> <b>Funeral parlour</b>	Car spaces to each seat or to each sq m of net floor area, whichever is greater	0.3

### 1.3 Criteria for reducing these requirements

The provisions in this Table apply across the whole state for the nominated uses. In other words, a “shop” must provide eight car spaces for every 100 square metres of leasable floor area. However, Clause 52.06-1 enables a Council to reduce (or even waive) these requirements so long as the reduction can be justified on the basis that Council is satisfied of the following:

- *Any relevant parking precinct plan.*
- *The availability of car parking in the locality.*
- *The availability of public transport in the locality.*
- *Any reduction in car parking demand due to the sharing of car spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces.*
- *Any car parking deficiency or surplus associated with the existing use of the land.*
- *Any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement.*
- *Local traffic management.*
- *Local amenity including pedestrian amenity.*
- *An empirical assessment of car parking demand.*
- *Any other relevant consideration.*

These criteria are discussed in detail in Chapter 5 of this report with respect to Mildura. Since the introduction of the new Mildura Planning Scheme in December 1999, Council has very often reduced the standard car parking requirement on a case by case basis. In order to provide certainty for all parties, Council now desires to include a modified set of car parking requirements in their new planning scheme as a Local Policy at Clause 22.

### 1.4 Local Policy or a Parking Precinct Plan?

The option of a local policy to influence the provision of on-site car parking has been used by at least ten Councils in Victoria. The authority for use of the policy resides in the Department of Infrastructure Practice Note (1999) “*Writing Local Policy*” which notes that a local policy is to be used to give local direction when there is a discretion in the planning scheme to be exercised. Clearly in the case of Clause 52.06 there is a discretion to reduce (or even waive) the amount of car parking required by that Clause. The local policies which have been approved around the state attempt to provide direction as to the appropriate level of car parking and in that sense have been found to be a legitimate use of Clause 22.

An alternative to a local policy is a “Parking Precinct Plan”. Clause 52.06-2 allows a Council to specify a different set of requirements than those listed in the Table to Clause 52.06-6 on the basis of a “parking precinct plan”. A Parking Precinct Plan enables Council to consider the specific parking needs of a defined area and it allows a Council to specify alternative rates for car parking provision. Clause 52.06-2 provides that:

*A parking precinct plan is a strategic plan or policy relating to parking of cars and other vehicles within a defined area which is incorporated into this scheme and listed in the schedule to this clause. A parking precinct plan may form part of a more general land use or other strategic plan or policy. A parking precinct plan may specify different requirements to those set out in the table at Clause 52.06-6*

*The parking precinct plan must include the following information:*

- *The purpose of the plan.*
- *The area to which the plan applies.*
- *An assessment of car parking demand in the precinct.*
- *An assessment of car parking supply in the precinct.*
- *The parking policy to be applied in the precinct.*
- *Any locational, financial, landscape or other plans or requirements necessary to implement the policy.*

It is understood that very few Parking Precinct Plans have yet been introduced in Victoria (Manningham C35; Melbourne C106 – on Exhibition) and it has been the strong preference of many Councils to pursue the Local Policy option. As noted, DSE has supported local policies in at least ten Councils.

Council is also mindful of the recent comments of the Whitehorse Amendment C40 Panel (May 2004) which proposed to introduce a Parking Precinct Plan over a localized area at the Blackburn Station Shopping Centre. The Panel noted:

*...the Panel is not certain that the full potential of a Parking Precinct Plan can be achieved by this amendment. In particular, the Panel is concerned that the proposed car parking rate for shop will not achieve a significant reduction in the number of applications for dispensation from the reduced requirement for shop given the existing limited on site private parking provision within Business 1 zoned land.*

*As an alternative, the Panel gave consideration to including the key elements of the PPP within the proposed policy at Clause 22.12. The incorporation of different parking rates to Clause 52.06 as policy has been done in several Victorian Planning Schemes including Boroondara Planning Scheme at Clause 22.03.*

*The Panel considers that it would be simple to incorporate much of what was proposed in the PPP....as policy to guide discretion within proposed Clause 22.12.*

## **1.5 The status of local policy at VCAT**

The use of local policy to influence the discretion at Clause 52.06 has also been sanctioned by the Victorian and Administrative Appeals Tribunal (VCAT). In *Lordan v Boroondara City Council* (P2433/2002), the Tribunal was asked to determine the applicable rate in the face of the Table at Clause 52.06 and a local policy at Clause 22.03. The Tribunal stated:

*The parties agreed on the car parking rate which should be applied to the proposed development. Pursuant to Clause 52.06-1 the rate set out at the table to Clause 52.06-5 (3.5 spaces per 100m<sup>2</sup> of floor area) only applies for uses not covered by "another clause". Accordingly, the rate set out at Clause 22.03 of 3 spaces per 100m<sup>2</sup> of floor area is applicable.*

This decision was confirmed in *Buckerfield Architects v Boroondara City Council and E. Shelton and Others* (P2505/2003) where the Tribunal was similarly faced with a decision between the table and the policy and it concluded that *"...the real rate to be applied is that at Clause 22.03 and not Clause 52.06"*.

## 2. POLICY AREA DEFINED

The proposed local policy is specifically to relate to the “CBD” area.

On-site inspections and research of previous Council data confirms that it is appropriate to limit the new policy or precinct plan to this discrete area for a variety of reasons including:

- The CBD area has a history of settlement and development dating to times when car parking was typically not required to be provided on site.
- Many existing premises in the CBD area are developed boundary-to-boundary with little or no prospects for the provision of on-site parking.
- Off-street car parking in Mildura CBD has typically been provided in “clusters” by Council, or around a dominant retail use such as a supermarket.
- Analysis over many years shows that while on-street car parking in Mildura CBD is plentiful it is haphazardly used.
- Much of this on-street parking is located in fringe and residential areas.
- Shorter term parking restrictions apply close to the center but all day on-street car parking is available towards the fringe of the CBD.

By contrast, the other major retail area in Mildura (the Fifteenth Street retail area – Mildura Plaza) has almost none of the characteristics of the CBD area including:

- The area is a relatively new retail precinct with development only dating back to the 1980’s.
- The type of outlets there (Target, Safeway, Bunnings, Billy Guyatt etc) rely on the provision of plentiful and visible off-street car parking as an asset and as a promotional anchor to attract custom.
- Typically developers in this area wish to provide as much visible car parking as is possible to entice customers.
- There is available land upon which to provide the off-street spaces with parcels of land of some hectares in area.
- The provision of visible car parking becomes a part of the planning and design exercise for the development of vacant sites in this area.
- There is no on-street car parking available principally because 15<sup>th</sup> Street is part of the Calder Highway corridor.
- It is not an option for a shopper to park on 15<sup>th</sup> Street and so all car parking must be provided on site.
- The trip to a retail outlet in 15<sup>th</sup> Street is more likely to be a specific destination trip whereas in the CBD the one trip may satisfy retail, banking, office, entertainment and community needs.

There are therefore clearly distinguishing characteristics between the two major retail areas in Mildura in car parking terms. In simple terms, Council wants to give direction in terms of its attitude to car parking provision in the Mildura CBD whereas on 15<sup>th</sup> Street, the market already demands that car parking be provided at or about the rate already in the planning scheme.

The remainder of this report will therefore deal exclusively with the Mildura CBD area as indicated in the attached plan. (See Map 1).





### **3. DEMAND AND SUPPLY OF CAR PARKING IN MILDURA CBD**

Council has commissioned a number of car parking demand and supply analyses in the Mildura CBD area. These include:

- *Central Business District – Traffic and Parking Study* 1996 Murray F. Young and Associates
- *Mildura Urban Design Framework* 1999 David Lock Associates; TTM Consulting; Spiller Gibbons Swan).
- *Mildura CBD Car Parking Strategic Plan* 2002 Connell Wagner Pty.Ltd.
- *Mildura Rural City Council Survey March 2005.*
- *Mildura Rural City Council Survey April 2005.*

The following conclusions on demand and supply can be drawn from these reports and surveys.

#### **3.1 Demand**

The 1996 report carried out detailed surveys on a Friday and Saturday and noted as follows:

##### **On-Street Parking**

- There is a relatively high level of demand near the retail core on Friday from 11am to 3pm peaking at about 86% of available on-street parking at 1.30pm. The demand drops off quickly in the evening period.
- There is a generally low level of demand in the outer parts of the Study area such as Olive, Seventh, Lemon and Eleventh.
- There is a high level of demand adjacent to (on all sides) the Langtree Mall around lunchtime on a Friday. On-street parking on Eighth Street between Lime and Deakin is often at or close to capacity. On Ninth Street while there is strong demand at this time there are often spaces available. There are also spaces available on Langtree north of the mall at this time reflecting the lack of retailing in this area. On Langtree south of the Mall there is a relatively high demand.
- There is a low level of demand in the City Heart area on Saturday apart from those spaces closest to the retail core with peak demand at about 11am tapering off in the afternoon as shops close.
- There was finally a low level of demand on a Sunday in the City Heart area.

##### **Off-Street Parking**

- The peak parking demand in off-street parking on Friday was for a total of 626 spaces at 11.30am which was equivalent to 73% of the available spaces.
- There was a higher parking demand in the off-street car parks at midday than in the evening period.
- None of the major car parks was at capacity during the survey.
- The peak demand in any of the car parks was in the Council car park on the east side of Pine where there was a peak parking demand equivalent to 86% of the available spaces. There was also a high demand for the Council car park on the corner of Ninth and Lime with a demand of 84%.
- There was a relatively low peak parking demand on Friday in the Coles and K Mart car parks reflecting the generally long trading hours provided by these facilities.

- There was a very low level of demand for all off-street parking near the Langtree Mall on Friday evening.
- On Saturday the peak parking demand in the off street spaces was equivalent to 485 spaces at about 11.30am which is equivalent to 57% of the available spaces.
- None of the major car parking areas were at capacity on Saturday and there was a low level of demand for the K Mart car park.
- There was peak parking demand of 163 spaces in the Safeway car park at 11.00am which is equivalent to 75% of the total spaces while the Coles car park (west side Lime) had also a relatively high demand of 86%. The highest demand was for the small Council car park on the corner of Lime and Ninth which had a peak parking demand of 96% of the available spaces at 11.30am.

The 1999 Study also analysed demand data and noted as follows:

*According to data obtained from Council, the CBD area has approximately 47,000 square metres of retail floor area. A detailed inventory was not available, however this figure is consistent with the developed site area of the CBD. Typically, observed parking demands in provincial towns and cities are in the order of 3.5 – 4.0 spaces per 100 square metres of floor area. On this basis, the peak demand for retail-related parking can be expected to be around 1800 spaces, which is reasonably consistent with the parking survey when allowance is made for the office and other non-retail demands.*

***Therefore, on the basis of the existing retail floor area and surveys, it is concluded that significant additional car parking is not warranted at current levels of development.***

*Despite the fact that there are sufficient car parking spaces in City Heart, the perception remains by some users that there is a lack of provision....this perception can be at least partly overcome by a series of measures designed to capitalise on existing infrastructure rather than spending large sums of money on new car parks. Such measures could include:*

- *Management to encourage employees to use less central car parks thus freeing them up for use by customers.*
- *The maximisation of on-street car parking within existing kerblines.*
- *Consolidation of existing off-street car parks.*
- *Better signage to off-street car parks.*
- *Better pedestrian linkages with off-street car parks.*
- *The development of a unifying image for City Heart to support the perception that people leaving their cars anywhere in the area are already in the centre.*

*However, consideration should still be given to the development of additional car parks in the medium to long-term, because most of the major potential development sites are public car parks at present.*

The conclusions of both reports, and confirmed by survey and consultations, is that demand is presently met by supply albeit in areas not always ideally located for some shoppers and visitors to the City Heart.

### **3.2 Supply**

The *Mildura Urban Design Framework 1999* assessed the supply situation in the CBD Area and Table 1 sets out these findings inclusive of a 'utilisation' value for both on and off street

parking. The 'utilisation' value was taken from a survey of spaces used at 2.30pm on Friday December 4<sup>th</sup> 1998. This time is consistent with the Friday peak demand surveyed by Murray Young and Associates in August 1995.

**Table 1: Car Park Supply in the Mildura City Heart Area (December 1998)**

<b>TYPE OF PARK</b>	<b>NUMBER SPACES</b>	<b>UTILISATION</b>
On-street	2089	1287(62%)
Off –Street	958	780(81%)
<b>TOTAL</b>	<b>3047</b>	<b>2067(68%)</b>

*Source: Mildura Urban Design Framework 1999 – Appendix 1*

Detailed surveys of exactly the same areas identified in the 1998 data were undertaken by Council staff in March and April 2005. Tables 2 and 3 set out these survey findings inclusive of a 'utilisation' value for both on and off street

**Table 2: Car Park Supply in the Mildura City Heart Area (March 2005)**

<b>TYPE OF PARK</b>	<b>NUMBER SPACES</b>	<b>UTILISATION</b>
On-street	2063	1417(68%)
Off –Street	1106	872(79%)
<b>TOTAL</b>	<b>3169</b>	<b>2289(72%)</b>

*Source: Mildura Rural City Council Survey March 2005 – Appendix 2*

**Table 3: Car Park Supply in the Mildura City Heart Area (April 2005)**

<b>TYPE OF PARK</b>	<b>NUMBER SPACES</b>	<b>UTILISATION</b>
On-street	2063	1296(63%)
Off –Street	1106	880(80%)
<b>TOTAL</b>	<b>3169</b>	<b>2176(68%)</b>

*Source: Mildura Rural City Council Survey April 2005 – Appendix 3*

There is great similarity between all the surveys carried out in the last decade. They all confirm that there is an adequate supply of car parking (both on and off-street) in the CBD but observations and public comments suggest that these spaces are not always where the motorist requires them.

### **3.3 Observations of Car Parking Habits**

The typical Mildura City Heart driver understandably searches for the nearest on-street space as is possible to their destination. Observations were made of drivers vacating one on-street space to search and find another on-street space within a few hundred metres. Queuing

takes place on-street, especially along 8th Street and 9th Street to await an on-street space. The incidence of on-street parking quickly falls away the greater the distance from Langtree Mall. Based on observations, at the same time as there was fierce competition for restricted on-street car parking on 8<sup>th</sup> Street between Deakin and Langtree, there were ample all day on-street spaces only 200 metres away on Pine Ave. Such characteristics are quite typical of regional and rural centres although they are perhaps more pronounced in Mildura with its extremes of weather especially over the elongated summer period.

Off-street car parking observations also confirmed the 1999 report in terms of supply and driver habits. Off-street car parking seems to be the second option for motorists after the on-street spaces near the “front door” of the destination shop. Observations regularly indicate that spaces are available in all off-street car parks at the same time as queuing was taking place on-street adjacent to some of those off-street car parks.

One observation which was noted (and confirmed during the consultations) was the tendency for the off-street car spaces to begin filling quite early (ie around 9am). This is indicative of traders and employees using the car parks for all day off-street car parking in preference to the all day on-street parking on the fringe of the CBD. Such an action denies shoppers potential car spaces and it is solely within the province of the shopkeepers and retailers traders (and not the Council) to enforce their staff to park elsewhere.

### **3.4 Supply and Demand Summary**

The conclusions of the 1996 and 1999 reports have been confirmed by the more recent surveys. In other words, there is an adequate on-street and off-street car parking supply to meet the anticipated demand but this supply is haphazard in that it is not always in the places where the shoppers want it. The perception of some shoppers remains that if an available space cannot be obtained within about 100 metres of the junction of 8<sup>th</sup> Street and Langtree Ave then there is a parking deficiency.

Traders, shoppers and developers have commented on a number of options to address this situation including:

- Decked car parking (particularly on the KMart or Coles site)
- Metred on-street car parks
- Shade cloth on existing open off-street car parks
- Restricting employees from on-site parking until mid morning
- Improved Public Transport

It is not within the scope of this report to evaluate these options other than to note that there appears to be a consensus view that without some further measures the CBD will begin to lose patronage to 15<sup>th</sup> Street with its plentiful and visible on-site car parking. On this point, the 2002 Connell Wagner Report urged Council to be vigilant noting that:

*In the current and short-term future, the Mildura CBD appears to have sufficient parking stock, however this stock could be better managed to optimise its convenience for users. As the CBD parking demand continues to grow, it is recognised that Council will need to plan for future expansion of its off-street carparking provisions.*

## 4. COUNCIL ASSESSMENT PROCEDURES

### 4.1 Mildura Rural City Council

When dealing with an application in the CBD, Council (and its delegates) have always considered each application on its merits with respect to car parking. From discussions with officers and a brief analysis of some Council files, there appears to have been a very pragmatic attitude to the question of car parking provision based on balancing the outcome for the city on the one hand, with the ability to provide car parking on the other. This can lead to inconsistency in decision making and a perception of favourable treatment for some over others. It is for this reason that a clear policy direction is needed.

There has been in existence since October 1996 (and reviewed in October 1999) a Council Policy on Car Parking (Policy No. 7.2). The purposes of that policy are:

- *To provide car parking appropriate to the use of land.*
- *To ensure that the dimensions and manouverability of car parking spaces and access lanes are sufficient to enable car parking areas to function efficiently and effectively.*
- *To ensure that parking areas are suitably constructed and surfaced.*

The decision guidelines include:

*If an additional building is constructed or an existing building is extended or altered, the Responsible Authority may decide to calculate the parking space requirements for only the additional building or extension. A reduction in this requirement may be considered;*

- *so long as any existing parking is not reduced and;*
- *depending on the scale and nature of the additions in relation to the use of the land.*

*If there is inadequate land to provide the required car parking a permit may be granted to reduce the number of spaces due to factors which may include:*

- *Provision for the parking on nearby land;*
- *Availability of public car parking nearby;*
- *Adequate provision of car parking in the locality;*
- *Credit for existing car parking for redevelopment and/or a change of use;*
- *Payment to Council of a cash-in-lieu contribution which is currently specified as \$5500 per space.*

The relevant car parking rates for the most common applications in the current policy are as follows:

<i>Shop</i>	<i>4 spaces per 100m<sup>2</sup></i>
<i>Office</i>	<i>2.5 spaces per 100m<sup>2</sup></i>
<i>Restaurant</i>	<i>0.2 spaces per seat</i>
<i>Hotel</i>	<i>50 spaces/100m<sup>2</sup> bar area</i>
	<i>20 spaces/100m<sup>2</sup> lounge</i>

This policy is principally derived from the 1996 "Young" report. While the existence of this policy is evidently not known to all parties, the above parking rates are typically the rates which have been used in Mildura as a guide in recent years. It is noted that the car parking rates in this policy are approximately half those which are required by Clause 52.06. According to Council, they are much more relevant to Mildura than is Clause 52.06 although

Council wishes to explicitly stipulate the basis for the “discount” and offer even further incentives for “discounting” based on the provision of facilities which will benefit the community. These principally include (but are not limited to) those matters which are identified in the 1999 “*Mildura Urban Design*” report especially arcade links retail areas.

#### 4.2 Other Regional Centres

There are currently at least six comparable Victorian regional centres with existing or proposed local policies in their Planning Schemes dealing with car parking. The planning schemes affecting Swan Hill, Sale and Traralgon all have gazetted policies at Clause 22 which vary the requirements of Clause 52.06. The City of Bendigo has a more general policy dealing with car parking in its central area. In addition, at least two metropolitan Councils have a car parking policy at Clause 22.

The detail of these policies with respect to their car parking requirements for the same typical uses identified above for Mildura are as follows:

**Table 5: Local Car Parking requirements in Regional Centres vs. Clause 52.06**

Scheme	Shop/100m2	Supermarket/100m2	Office/100m2	Restaurant/seat
<b>VPP - 52.06</b>	<b>8/100m2</b>	<b>8/100m2</b>	<b>3.5/100m2</b>	<b>0.6/seat</b>
1996 Mildura Policy	4	None specified	2.5	0.2
Swan Hill	2	4	2.5	0.25
LaTrobe	2	6	2	0.25
Wellington	3	NS	2	0.25
Boroondara	3	6	3	0.4(av)
Cardinia*	4	5.5	3.5	0.4
Wangaratta	3	4	3	NS
Ararat*	3	5	3	NS
(* Proposed)				
<b>Average</b>	<b>2.66/100m2</b>	<b>5.15/100m2</b>	<b>2.6/100m2</b>	<b>0.3/seat</b>

*Source: Clause 22 Local Policies in the respective schemes.*

Based on the above analysis of typically recurrent uses in Victoria and in regional centres it can be seen that the metropolitan standards of Clause 52.06 are of little relevance to Mildura. Indeed, Mildura’s existing policy is more restrictive than most other regional centres with a “shop” requirement up to double that of like sized regional centers. The relevant average parking rates are:

<i>Shop</i>	<i>2.66/100m2</i>
<i>Supermarket</i>	<i>5.15/100m2</i>
<i>Office</i>	<i>2.6/100m2</i>
<i>Restaurant</i>	<i>0.3/seat</i>

Another interesting aspect of the existing policies is that both LaTrobe and Swan Hill make a distinction dependent on the size of the shop. At Swan Hill, if the shopping development (usually a supermarket or Discount Department Store) exceeds 1000m2, then the car parking requirement doubles to 4 per 100m2 (the same as Mildura). In Latrobe, the requirement

jumps to 6 spaces per 100m<sup>2</sup> for a supermarket, discount department store or shops within a development in excess of 2000m<sup>2</sup>.

**Based on other regional centers, a precedent has been set for a centre to adopt requirements which are much less than those required by Clause 52.06.**

#### **4.3 An Alternate Regional Centre Approach**

An alternate approach to an itemized car parking table based on various uses has been suggested for the Rural City of Wangaratta. On the basis of some traffic research conducted for that Council by Andrew O'Brien and Associates (*Wangaratta Central Activities Area – Car Parking Study Review May 2000*) it was concluded that most land uses within the township area generated much the same amount of car parking. This generation rate was rationalized at a figure of 3 spaces per 100m<sup>2</sup> of floor area irrespective of the land use. While it was acknowledged that there were variations to this figure, they were marginal variations. This rationalized figure did not relate to significant redevelopments of new freestanding premises such as a supermarket.

In addition, the basis for calculation was also simplified. The report found that, in general terms, a central area redevelopment, regardless of use, did not require any extra car parking. The only time that extra car parking was required was if:

- There was an increase in floor area and the car parking was levied on only that extra floor space.
- There was a major redevelopment of a significant freestanding new retail use such as a supermarket.

The simplicity behind this approach is an attractive one. In essence, it establishes the very simple principles that;

- *The car parking requirement rate for any use in a regional centre is 3 spaces per 100m<sup>2</sup>.*
- *Redevelopment not involving an increase in floorspace does not attract a car parking requirement.*
- *Redevelopment involving an increase in floorspace attracts a car parking requirement of 3 spaces per 100m<sup>2</sup> on the extended area only.*
- *Redevelopment in excess of 4000m<sup>2</sup> reverts to the current provisions of Clause 52.06*
- *In all cases there remains the ability to further reduce these figures based on the provision of identified facilities.*

#### **4.4 An appropriate car parking requirement for Mildura**

On the basis of the above discussion, especially the existing Council policy and the requirements adopted elsewhere, it is considered that the car parking rates in the 1996 Council policy have been confirmed. It is now appropriate to incorporate these requirements into a local policy in the planning scheme subject to two changes being:

- An increase in the requirement for restaurants from 0.2 spaces to 0.3 spaces per seat.
- A new and separate requirement of 6 spaces per 100m<sup>2</sup> for a stand-alone supermarket or discount department store in excess of 2000m<sup>2</sup> floor area.

## 5. THE BASIS FOR REDUCING OR WAIVING CAR PARKING

As noted above at Section 1, Clause 52.06 enables a Council to reduce or waive the standard car parking requirements upon being satisfied of the following:

- *Any relevant parking precinct plan.*
- *The availability of car parking in the locality.*
- *The availability of public transport in the locality.*
- *Any reduction in car parking demand due to the sharing of car spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces.*
- *Any car parking deficiency or surplus associated with the existing use of the land.*
- *Any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement.*
- *Local traffic management.*
- *Local amenity including pedestrian amenity.*
- *An empirical assessment of car parking demand.*
- *Any other relevant consideration.*

Each of these matters is now briefly discussed with respect to the Mildura CBD.

### 5.1 Parking Precinct Plan.

There is not at present a “Parking Precinct Plan” for any part of Mildura as specified by Clause 52.06-2 of the Mildura Planning Scheme. Indeed, since the introduction of the new format planning schemes there has been very little use of the “parking precinct” tool by Councils across the state. The Department of Sustainability and Environment (DSE) has released a Practice Note on the whole issue of Parking Precinct Plans and their use. The Practice Notes states (among other things) that:

*Clause 52.06-6 also enables the preparation of Parking Precinct Plans. These are locally prepared strategic plans containing parking provisions for an area or ‘precinct’. They enable the parking issues arising in a precinct to be considered holistically and a strategy to address them to be implemented. They can replace the rates in the table and reduce or remove the need for potentially complex parking investigations to support individual permit applications. Parking Precinct Plans can be prepared for any precinct where local parking issues can be identified and a common strategy adopted to respond to them. Once prepared, they become part of the planning scheme and changes can only be made by an amendment.*

It is understood that the Bendigo Regional Office of DSE prefers that Council use a Parking Precinct Plan in preference to a Local Policy at Clause 22 despite the fact that many Councils (Borondara, Stonnington, Melbourne, Bendigo, LaTrobe, Swan Hill, Wellington, Wangaratta, Moira etc) have gazetted local policies dealing with car parking. Parking Precinct Plans are (according to the Practice Note) essentially “..to manage parking in a precinct rather than on a site-by-site basis”. In Mildura, the whole purpose of the current exercise is to determine an appropriate rate of parking for a specific application on a site by site basis. Accordingly, Clause 22 is still preferred.



**Overall, Council cannot rely on a Parking Precinct Plan to justify the waiving of car parking as one does not exist and one is not intended to be prepared. However, a specific Local Policy at Clause 22 will give Council the ability to exercise its discretion to reduce or waive parking.**

## **5.2 Public Transport**

Typically public transport makes very little contribution to shopping or commercial journeys especially in rural and regional centres as compared to metropolitan destinations. In addition the nature of the shopping trip often necessitates a vehicle to transport goods purchased.

While this holds true for Mildura, it is relevant that over recent years there has been some change in shopper numbers accessing the CBD by bus. Sunraysia Bus Lines advise that 80% of their passengers into Mildura go to the Mildura CBD as opposed to the Mildura Plaza. At present it is estimated that approximately 350 persons per day access the CBD by bus. It is understood that part of the reason for the increased incidence of bus usage has been the relocation of the bus stop into the heart of the CBD on the corner of Eighth Street and Lime Avenue. While this led to a loss of some on-street spaces, the relocation of the bus stop has greatly improved the attractiveness of the centre for some shoppers.

**Overall, while the numbers accessing the CBD are still relatively small, it is considered that availability of public transport provides some limited basis for a reduction in on-site parking.**

## **5.3 Sharing of Car Spaces**

In a well established regional shopping centre such as the Mildura CBD, there is a long history of sharing car parking spaces by multiple uses. Within the CBD area the “bank” of car parking supports varied uses such as shops, restaurants, hotels, offices, agencies, medical facilities, community facilities, entertainment, cinemas, etc.

In addition, the peak times of attraction of some of these uses varies considerably with (for instance) the retail activities in one part of Langtree Mall having a different peak than the eating facilities at the northern end. This is borne out by the various survey analysis especially in the “Young” report. The current study has not analysed the degree of car parking sharing to any degree other than to note that it has traditionally occurred and is still occurring.

**Overall, it is considered that on a case by case basis, Council is in a position to consider a “discount” on the car parking requirement on the basis of sharing of spaces.**

## **5.4 Car Parking Credits.**

The matter of a car parking “credit” has been a vexed planning question for some time. Former planning schemes made no reference to the concept of making an allowance for a previous use on the site even though Councils, applicants and VCAT often relied on the principle. The new format schemes finally acknowledge that the concept of a car parking credit is a valid one and Clause 52.06-1 now specifically acknowledges this.

It is clear that car parking requirements are only to be levied on the basis of the extent of the new activity. If a (say) “shop” is being renovated and transformed into another shop, the use remains the same and so no extra car parking is required. If that same shop however is being extended, then the car parking requirement is levied on only the extended area at the

rate determined by Clause 52.06 for a “shop”. If the shop is being transformed into a 500-seat restaurant then there is a new activity (or “use” in the planning sense) and so the amount of car parking required is the **difference** between the requirement for the “new” restaurant minus the **credit** for the “old” shop.

It is also the accepted practice (and used in Mildura) that if a shop is completely demolished and a new building and new use commences then there is no car parking credit carried forward. A VCAT decision (**Phillip Island Conservation Society and others v. Bass Coast Shire Council and James W. Sadler Pty.Ltd. 2000/61591**) addressed the principles of this issue and noted:

*The total clearance of the site offers an opportunity to ensure that the replacement development is, from a parking viewpoint, largely self-sufficient. To apply a parking credit of the magnitude suggested by (the evidence) would simply guarantee that existing problems are perpetuated. We do not believe such an approach is consonant with the principle of orderly town planning.*

The DSE Practice Note on car parking conveniently clarifies the role of the car parking credit (as well as payment in lieu) and notes that:

*Proposals may involve car parking spaces that are notionally – rather than physically – available. Notionally available car parking spaces most often arise from car parking credits and car parking scheme contributions. Where a use existed before the introduction of the current car parking requirement, that part of its parking requirement which is not provided on-site can be considered as a ‘car parking credit’. The parking demand comprised in the credit is met off-site by existing publicly available car parking. There is no VPP definition of a parking credit. Nor does the VPP prescribe how a credit is calculated. However, Clause 52.06-1 states that a credit should be based on the “car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement. A net parking credit can range from 0% of the current parking requirement.....to 100% where it has none.*

On the basis of the practice note and on the basis of past practice at Mildura, it is considered appropriate to continue the practice of:

- Acknowledging existing uses.
- Acknowledging existing floor areas.
- Allowing a credit for car parking based on the existing use and the existing floor area.
- Applying a new requirement on the basis of the **difference** between the new calculation and the past credit.
- **Abandoning** the credit once the existing use and development is completely removed.

**Overall, it is considered that a car parking credit should be used in the CBD Area to discount the normal requirement, but that it only apply to existing uses within an existing building. If a site is to be cleared then the theoretical shortfall should not be carried into that new development.**

## 5.5 Local Traffic Management

The local traffic management issues recommended by the 1996 “Young” report have been largely implemented. These include re-arranging some on-site spaces from 45 degrees to 60 degrees; the deletion of some spaces for the bus stop; roundabouts; pedestrian crossings and street plantings. It is understood that further angle parking changes are proposed by

Council thereby adding to the “pool” of on-street spaces. There are also a number of traffic and parking management issues which have been mooted including parking metres and decked off-street car parking. These are matters of great significance for the city for which there would need to be much more detailed investigation as well as community and Council debate.

The 1999 *Mildura Urban Design Framework* identifies a very clear strategy for a “well connected street network” and discusses a range of options for local traffic management measures to improve pedestrian accessibility. **These options provide a clear strategic basis for improvement works in the future.** It is a legitimate exercise of the planning permit application process for either an applicant or Council to use this Framework on a case by case basis to provide pedestrian benefits to the CBD Area. Such provision greatly assists Council in considering whether to waive or reduce car parking. The Framework report will be given even greater weight if it is elevated to the status of a “reference document” accompanying any new local policy.

**Overall, it remains an option for any applicant to submit to Council that a reduction in parking is justified on the basis of the applicant undertaking local traffic management works which are in accordance with an overall Council strategy; or in accordance with the measures outlined in the *Mildura Urban Design Framework*.**

## 5.6 Local Pedestrian Amenity

As noted earlier in this report, Council has done considerable work in recent years on urban design issues in the CBD area to improve local amenity and to improve pedestrian amenity. Strategic research has included the *Mildura City Heart Redevelopment Strategy* October 1996 (incorporated into the Planning Scheme); the *Mildura Traffic and Streetscape Study* (1997)(Grogan Richards and Green and Dale and Associates); and the *Mildura Urban Design Framework* (1999) (David Lock Associates, TTM Consulting, Spiller Gibbins Swan). Each of these studies have addressed improvements to the physical environment in the CBD area and include recommendations dealing with pedestrian access; streetscape beautification; landscaping; and the inclusion of better street linkages by pedestrians.

Without itemising the recommendations of these studies it is clear that they form a very strong basis for a reduction (or even a waiving) in car parking based on the provision of some of the features recommended. For instance, the provision of a through-site passageway in a development so as to link a new shop with a public car park at the rear is one of the features which logically flow from these reports. So long as the new Clause 22 policy directs the applicant and the Council to the range of options provided by these urban design reports, then it is available to any party to incorporate (and justify) these measures as the basis for a car parking reduction. This issue is further discussed in 5.8 below.

**Overall, there is a very strong basis to discount the amount of car parking required based on the provision of improvements to local amenity, especially pedestrian amenity and access to parking and public transport based. Compliance with the suggestions of these reports is a strong factor in support of a car parking reduction.**

## 5.7 Car Parking Demand and Supply

Chapter 3 included a discussion on car parking demand and supply.

It is concluded that there is sufficient supply in numerical terms of car parking to meet demand although it is acknowledged that the supply is in areas not always attractive to motorists. This perceived problem in supply can be addressed in part by forcing employees

to park on-street in those spaces which shoppers find the least attractive (ie Pine Street). This needs to be complemented by traders ensuring that their off-street car parks are not accessed until (say) 10am other than by genuine shoppers.

**Overall, while it is open to any applicant on a case by case basis to provide empirical evidence of car parking demand to support the case for a reduction, the conclusion is that current demands can be met by supply so long as the supply side is more appropriately used. Subject to the suggested changes (many of which are not in Council's domain), it is considered that there is a sufficient supply of car parking in numerical terms in the defined area to justify a reduction in parking.**

### **5.8 "Other" Relevant Considerations in Mildura**

The Departmental Practice Note on "Using the Parking Provisions" makes the following reference to "other relevant matters" which may give rise to a reduction in parking:

*An applicant may demonstrate that car parking should be reduced or waived for other reasons. Many of these will be locally or site specific and cannot be identified in this Practice Note. However bicycle parking, neighbourhood character and heritage considerations are commonly relevant concerns that are not identified in the decision guidelines.*

*New car parking provision may have an impact on neighbourhood character and built heritage. It may be necessary to reduce or waive a parking requirement to prevent an avoidable adverse heritage or character impact. Parking requirements may be **bargained** (emphasis) with as part of the evaluation of a wider planning gain, such as the appropriate repair and return to use of a historic building at risk, or the proper investigation and conservation of an archaeological site. As with local amenity however, this impact is often qualitative rather than quantitative and care is needed in evaluating against competing criteria.*

The above considerations all allow a "discount" on the car parking required to be provided based on the existence of certain factors, or on the provision of other factors. In the case of Mildura, the matter of heritage protection is particularly relevant. Much of the CBD area is covered by Heritage Overlays under the planning scheme. There are important individual buildings in the area as well as important streetscapes and precincts. On a case by case basis, it will often be a community "bonus" (or at least a net community benefit as set out in Clause 11.01 of the scheme) if an historic building can be retained and upgraded instead of being demolished to provide on-site car parking.

**It is considered that the existence of an historic building on site (or the contribution any building makes to a heritage precinct) should entitle the applicant to receive a significant discount on the Clause 52.06 requirement.**

There is also the matter of the improved pedestrian environment. Council now has a very clear basis for granting dispensation of parking especially using the *Mildura Urban Design Framework* for things such as;

- pedestrian links to other parts of the shopping area;
- through-site pedestrian walkways;
- weather protection measures; and
- other urban design improvements.

**It is considered that the provision of any of the features identified in the Mildura Urban Design Framework which would improve pedestrian accessibility and amenity in the**

**CBD area should entitle the applicant to receive a significant discount on the Clause 52.06 requirement.**

Another factor to take into account to justify a reduction includes the provision of bike parking in new developments (presumably for employees rather than for shoppers). This will need to be assessed on a case by case basis but should still entitle an applicant to receive a reduction.

**Overall, the principle should apply that if there is the provision for, or protection of, services and facilities which provide a “net community benefit”, then these can be used by an applicant to qualify for a car parking discount.**

### **5.9 Cash in lieu payment**

Lastly there is the matter of paying money to a Council fund instead of physically providing the car parking. Council has intermittently used this technique over the years and has established a fund for this use. The Practice Note on parking notes that:

*Notionally available car parking spaces can also arise from contributions to car parking schemes, such as payments of cash in lieu of spaces not provided, special charge and rate schemes. These contributions generally consist of payments levied by a council to fund the construction of additional public parking facilities. Where premises have made a cash contribution or been subject to a special rate, the parking spaces deemed to have been provided can be included in a calculation of car parking supply and considered as part of a permit application. It is normal and equitable to consider that a contribution leads to a credit equal to a proportional share of the parking that has been or is proposed to be provided. As in any car parking credit, the responsible authority must always balance the decision to allow a credit for a historic contribution on the facts of the individual case and relevant planning policies.*

It is understood that Council has required applicants to contribute to a car parking fund when there has been a parking shortfall and when there are no “community bonuses” provided by the applicant to justify a reduction. As with any “infrastructure” type contributions, the requirement has to be able to satisfy the principles of need, equity, accountability and nexus established by the *Eddie Barron* case in the early 1990’s. (*In light of the Supreme Court case of Curry v. Shire of Melton the need for a Development Contribution Plan to formally trigger the payment may also need to be further investigated*).

**Overall, the option for Council to require payment, or for an applicant to request that a cash contribution to Council be made instead of providing the actual amount of spaces, is still supported and should be used by Council on a case by case basis.**

## **6. RECOMMENDED ACTIONS.**

The following is a list of the recommendations arising from consideration of car parking in the Mildura CBD.

**That:**

- Council develops a Local Policy for Car Parking in the CBD area.
- Consequential MSS changes be made to refer to the car parking issue in the CBD and the need for a policy.
- The attached Local Policy be absorbed into Clause 22 of the Mildura Planning Scheme via a Planning Scheme amendment.

## APPENDIX 1: DECEMBER 1999 CBD CAR PARKING SURVEY

The existing on and off-street parking supply within the Mildura CBD as measured in the survey undertaken on Friday 4 December 1998 at 2.30pm is summarised in the following tables.

### 4.1 Current On-Street Parking Stock

Location	Number of Spaces	Parking Geometry	Parking Restrictions	Utilisation	
				Number	Rate
<b>PINE AVENUE</b>					
Seventh Street to Eleventh Street	189	parallel	nil	70	37%
<b>LIME AVENUE</b>					
Seventh Street to Gallaghers Lane	12	parallel	2P	6	50%
Gallaghers Lane to Tenth St	212	53°	2P	180	85%
Tenth St to Eleventh St	82	53°	nil	43	52%
<b>LANGTREE AVENUE</b>					
Seventh St to Eighth St	84	53°	2P	71	85%
Ninth St to Tenth St	95	53°	2P	87	92%
Tenth St to Eleventh St	98	53°	2P	80	82%
<b>DEAKIN AVENUE</b>					
West side	131	53°	2P, 1/2P	97	74%
East side	103	53°	2P, 1/4P	45	44%
<b>MADDEN AVENUE</b>	265	53°	nil	123	46%
<b>ORANGE AVENUE</b>	198	53°	nil	78	39%
Seventh Street, south side	60	parallel	nil	24	40%
Eighth Street	144	53°	2P	85	59%
Ninth Street	191	53°	2P	168	88%
Tenth Street	165	53°	2P	114	69%
Eleventh Street, north side	60	parallel	nil	16	27%
<b>TOTALS</b>	<b>2089</b>			<b>1287</b>	<b>62%</b>

### 4.2 Current Off-Street Parking Supply

Location	Number of Spaces	Parking Geometry	Parking Restrictions	Utilisation	
				Number	Rate
<b>K-MART</b>	247	aisle	n.a.	207	84%
<b>COLES</b>	176	aisle	n.a.	137	78%
<b>COUNCIL FREE CARPARK, EAST SIDE PINE</b>	136	aisle	n.a.	126	93%
<b>SAFEWAY/MITRE 10</b>	182	aisle	n.a.	154	85%
<b>LIME/NINTH</b>	56	aisle	n.a.	56	100%
<b>FISHERS AREA</b>	115	aisle	n.a.	60	52%
<b>LIME PLAZA</b>	46	aisle	n.a.	40	87%
<b>TOTALS</b>	<b>958</b>	<b>aisle</b>	<b>n.a.</b>	<b>780</b>	<b>81%</b>
This table only indicates spaces clearly available to the public, and does not include the open grade parking east of Deakin Avenue					
<b>OVERALL TOTALS</b>	<b>3047</b>			<b>2067</b>	<b>68%</b>

**APPENDIX 2: MARCH 2005 CBD CAR PARKING SURVEY**

Location	Number of Spaces	Parking Geometry	Parking Restrictions	Utilisation	
				Number	Rate
<b>PINE AVENUE</b>					
Seventh Street to Eleventh Street	202	Parallel	2P	107	53%
<b>LIME AVENUE</b>					
Seventh Street to Gallaghers Lane	10	Parallel	2P	5	50%
Gallaghers Lane to Tenth Street	235	Angle	2P	184	78%
Tenth Street to Eleventh Street	81	Angle	2P,1/2P	33	41%
<b>LANGTREE AVENUE</b>					
Seventh Street to Eighth Street	91	Angle	2P	87	96%
Ninth Street to Tenth Street	94	Angle	2P	71	76%
Tenth Street to Eleventh Street	112	Para/Cent	2P, 1P, 1/4P	63	56%
<b>DEAKIN AVENUE WEST</b>					
Seventh Street to Eleventh Street	132	Para/Angl	2P,1P,1/2,1/4	97	73%
<b>DEAKIN AVENUE EAST</b>					
Seventh Street to Tenth Street	99	Para/Angl	2P, 1P	67	68%
<b>MADDEN AVENUE</b>					
Seventh Street to Tenth Street	250	Para/Angl	2P,1P,1/2,1/4	183	73%
<b>ORANGE AVENUE</b>					
Seventh Street to Tenth Street	148	Parallel	2P,1P,1/2P	71	48%
<b>SEVENTH STREET</b>					
Deakin Avenue to Pine Avenue	49	Para/Angl	2P	44	90%
<b>EIGHTH STREET</b>					
Pine Avenue to Orange Avenue	169	Para/Angl	2P,1P,1/2,1/4	132	78%
<b>NINTH STREET</b>					
Pine Avenue to Orange Avenue	153	Para/Angl	2P,1P	122	80%
<b>TENTH STREET</b>					
Pine Avenue to Orange Avenue	129	Para/Angl	2P,1P	82	64%
<b>ELEVENTH STREET</b>					
Deakin Avenue to Pine Avenue	50	Parallel	2P,1P,1/4P	29	58%
<b>CARTERS LANE</b>	33	Parallel	nil	22	67%
<b>RISBEY LANE</b>	9	Parallel	nil	4	44%
<b>BOWRINGS LANE</b>	11	Parallel	1/2P	8	73%
<b>SHILLIDAYS LANE</b>	6	Parallel	1/2P	6	100%
<b>TOTAL</b>	2063			1417	

**Current Off- Street Parking Supply**

Location	Number of Spaces	Parking Geometry	Parking Restrictions	Utilisation	
				Number	Rate
<b>K-MART</b>	227	aisle	nil	191	84%
<b>COLES</b>	123	aisle	2P	95	77%
<b>PINE AVENUE</b>	175	aisle	nil	172	98%
<b>LIME PLAZA *</b>	31	aisle	2P,	28	90%
<b>TOP 'O' PINE</b>	96	aisle	nil	77	80%
<b>WOOLWORTHS</b>	157	aisle	2P, permits	123	78%
<b>LIME 'N' NINTH</b>	46	aisle	2P	23	50%
<b>FISHERS CAR PARK</b>	116	aisle	2P	97	84%
<b>ORANGE AVENUE C/P</b>	86	aisle	nil	22	26%
<b>CITY PLAZA CAR PARK 1 *</b>	37	aisle	nil	37	100%

<b>CITY PLAZA CAR PARK 2 *</b>	12	angle	2P	7	58%
<b>TOTAL</b>	1106			872	

\* Denotes privately owned Car Parks

**Current Paid Parking Supply**

Location	Number of Spaces	Parking Geometry	Parking Restrictions	Utilisation	
				Number	Rate
<b>GRAND HOTEL CAR PARK</b>	197	aisle	40c per hour	32	17%

Survey conducted 18 March 2005, between 1pm and 3pm.

Note that there were road works on the corner of Tenth Street and Langtree Avenue roundabout. This effected the use of 41 car parking bays in that area.



### APPENDIX 3: APRIL 2005 CBD CAR PARKING SURVEY

Location	Number of Spaces	Parking Geometry	Parking Restrictions	Utilisation	
				Number	Rate
<b>PINE AVENUE</b>					
Seventh Street to Eleventh Street	202	Parallel	2P	108	53%
<b>LIME AVENUE</b>					
Seventh Street to Gallaghers Lane	10	Parallel	2P	8	80%
Gallaghers Lane to Tenth Street	235	Angle	2P	189	80%
Tenth Street to Eleventh Street	81	Angle	2P,1/2P	57	70%
<b>LANGTREE AVENUE</b>					
Seventh Street to Eighth Street	91	Angle	2P	87	96%
Ninth Street to Tenth Street	94	Angle	2P	83	88%
Tenth Street to Eleventh Street	112	Para/Cent	2P, 1P, 1/4P	62	55%
<b>DEAKIN AVENUE WEST</b>					
Seventh Street to Eleventh Street	132	Para/Angl	2P,1P,1/2,1/4	113	86%
<b>DEAKIN AVENUE EAST</b>					
Seventh Street to Tenth Street	99	Para/Angl	2P, 1P	76	77%
<b>MADDEN AVENUE</b>					
Seventh Street to Tenth Street	250	Para/Angl	2P,1P,1/2,1/4	53	21%
<b>ORANGE AVENUE</b>					
Seventh Street to Tenth Street	148	Parallel	2P,1P,1/2P	44	30%
<b>SEVENTH STREET</b>					
Deakin Avenue to Pine Avenue	49	Para/Angl	2P	38	78%
<b>EIGHTH STREET</b>					
Pine Avenue to Orange Avenue	169	Para/Angl	2P,1P,1/2,1/4	134	79%
<b>NINTH STREET</b>					
Pine Avenue to Orange Avenue	153	Para/Angl	2P,1P	120	78%
<b>TENTH STREET</b>					
Pine Avenue to Orange Avenue	129	Para/Angl	2P,1P	63	49%
<b>ELEVENTH STREET</b>					
Deakin Avenue to Pine Avenue	50	Parallel	2P,1P,1/4P	23	46%
<b>CARTERS LANE</b>	33	Parallel	nil	26	79%
<b>RISBEY LANE</b>	9	Parallel	nil	5	56%
<b>BOWRINGS LANE</b>	11	Parallel	1/2P	4	36%
<b>SHILLIDAYS LANE</b>	6	Parallel	1/2P	3	50%
<b>TOTAL</b>	2063		1296		<b>63%</b>

#### Current Off- Street Parking Supply

Location	Number of Spaces	Parking Geometry	Parking Restrictions	Utilisation	
				Number	Rate
<b>K-MART</b>	227	aisle	nil	192	85%
<b>COLES</b>	123	aisle	2P	98	80%
<b>PINE AVENUE</b>	175	aisle	nil	168	96%
<b>LIME PLAZA *</b>	31	aisle	2P,	21	68%
<b>TOP 'O' PINE</b>	96	aisle	nil	82	85%
<b>WOOLWORTHS</b>	157	aisle	2P, permits	104	66%
<b>LIME 'N' NINTH</b>	46	aisle	2P	36	78%
<b>FISHERS CAR PARK</b>	116	aisle	2P	105	91%
<b>ORANGE AVENUE C/P</b>	86	aisle	nil	31	36%
<b>CITY PLAZA CAR PARK 1 *</b>	37	aisle	nil	35	95%

<b>CITY PLAZA CAR PARK 2 *</b>	12	angle	2P	8	67%
<b>TOTAL</b>	1106			880	<b>80%</b>

\* Denotes privately owned Car Parks

**Current Paid Parking Supply**

Location	Number of Spaces	Parking Geometry	Parking Restrictions	Utilisation	
				Number	Rate
<b>WORKERS*</b>	124	aisle	2P, 4P	76	61%
<b>WORKERS PERMITS ZONE</b>	100	aisle	permits	28	28%
<b>GRAND HOTEL CAR PARK</b>	197	aisle	40c per hour	39	20%

Survey conducted 8 April 2005, between 1pm and 3pm.

## APPENDIX 4: PROPOSED MSS CHANGES

In Clause 21.04-6 (Commercial and Retail Development) Objective 1, add the following strategy after the ninth bullet point:

- Provide car parking in the Mildura CBD area at a rate which is appropriate to the use of the land.

In Clause 21.04-6 (Commercial and Retail Development) Implementation, add the following after the third bullet point:

- Applying the Mildura CBD Car Parking Policy at Clause 22.11.

In Clause 21.04-6 (Commercial and Retail Development) Referred Documents, add the following after the fourth bullet point:

- Car Parking Policy in the CBD Area – Mildura Rural City Council 2005.

## APPENDIX 5: PROPOSED LOCAL PLANNING POLICY

### 22.11 MILDURA CBD CAR PARKING POLICY

This policy applies to all land identified on the attached map. The policy applies to:

- new buildings:
- extensions to existing buildings:
- a change of use.

#### Policy Basis

The Mildura Planning Scheme (at Clause 52.06) contains provisions relating to car parking including a Table which specifies a rate of car parking based on the use of the land. This Clause and this Table contain the same provisions across the whole state. The Clause also enables a Council to grant a permit to reduce (or even waive) this car parking requirement so long as the reduction can be justified. The Mildura CBD area (as identified on the attached plan) has a long history of settlement and development dating to times when car parking was typically not required to be provided on site. On-street parking in the CBD area is plentiful although haphazardly used; while major off-street car parking has typically been provided in “clusters” by Council or around dominant retail uses such as a supermarket. Traffic and parking surveys done for the Mildura CBD over the last decade indicate that there is a surplus of car parking supply over demand although this surplus increases away from the core of the retail area.

Many of the rates specified in Clause 52.06 are much higher than has typically been applied in the CBD area and much higher than applied in comparable regional Victorian centres. Council also acknowledges that there are a number of other factors which will influence their decision on the rate of car parking. Matters including the retention of heritage buildings, the provision of improved pedestrian linkages within the CBD area and streetscape improvements will all be factors which may influence whether or not the maximum rate is applied.

For these reasons, and so as to provide certainty for Council and the development community, Council will apply the following policy to all applications in the CBD area. Council will continue to use Clause 52.06 in its present form in all other areas of the municipality outside the CBD area.

#### Policy objectives

- To provide car parking at a rate which is appropriate to the use of the land in the context of the CBD area.
- To provide a clear, equitable and consistent approach to decision making under Clause 52.06 in the CBD area.
- To provide incentives for developers to include community benefits in their designs so as to offset car parking requirements.
- To achieve a high standard of shopper and pedestrian amenity in the CBD area with respect to accessibility, heritage considerations; streetscape, pedestrian linkages, lighting and personal security.
- To provide certainty for developers on options for the alternate provision of parking including the payment of a cash in lieu contribution.

#### Policy:

#### It is policy that:

The Responsible Authority will require the provision of car parking for the following uses in the Mildura CBD area in accordance with the following Table:

USE	CAR SPACE MEASURE	RATE
<b>Shop other than specified in this table</b>	Car spaces to each 100 sq m of leasable floor area	4
<b>Shop with a floor area in excess of 2000m<sup>2</sup></b>	Car spaces to each 100 sq m of leasable floor area	6
<b>Restaurant</b>	Car spaces to each seat available to the public	0.3
<b>Office other than specified in this table</b>	Car spaces to each 100 sq m of net floor area	2.5
<b>Hotel or Tavern if the floor area available to the public exceeds 150 sq m</b>	Car spaces to each 100 sq m of bar floor area available to the public, plus	50
	Car spaces to each 100 sq m of lounge floor area available to the public	20
<b>Medical centre Veterinary centre</b>	Car spaces to each practitioner	5
<b>Place of assembly</b>	Car spaces to each seat or to each sq m of net floor area, whichever is greater	0.3

The Responsible Authority may further **reduce or waive** the requirements of the Table to Clause 52.06 and the above Table but only upon explicit consideration of the following:

- Whether the proposal is for extensions, redevelopment, re-use or a new development.
- The amount of parking credit which applies to the site.
- The availability of on street and off street car parking within 200 metres of the site.
- Whether the proposal will adversely affect the heritage significance of a building or streetscape.
- Whether the proposal incorporates pedestrian linkages and amenity features as specified in the *Mildura Urban Design Framework July 1999*
- The provision of bicycle parking.
- The proposed landscape treatment of the public and private domain.
- The need for building setbacks to retain the existing rhythm and scale of development.
- Whether the option of a cash-in-lieu contribution is appropriate having regard to the cost of each space which is to be determined and annually reviewed by Council.
- The provisions of Clause 22.02-4 on Budget Accommodation.
- The provisions of Clause 43.02 (DDO3) – Mildura City Heart.

#### **Policy References:**

*Car Parking Policy in the CBD Area – Mildura Rural City Council (2005).*  
*Mildura CBD CarParking Strategic Plan (2002) Connell Wagner*  
*Central Business District – Traffic and Parking Study (1996) Murray Young Associates.*  
*Mildura Urban Design Framework (1999) David Lock Associates.*

