



Berwick Village Commercial Centre Parking Precinct Plan

Version 1.1

This is a copy of the incorporated document under the Casey Planning Scheme adopted by Casey City Council on 3 February 2009. Approved by the Minister 6 August 2009.

Document Control

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Responsible Department – Planning

This version includes all amendments to 3 February 2009

Electronic reference library version 1.1

Preamble

In accordance with a resolution of Council on 21 June 2005 to include definitions of Council, Councillors and Council officers in all Council policy documents, the following definitions are provided:

Council – means Casey City Council, being a body corporate constituted as a municipal Council under the Local Government Act 1989

Councillors – means the individuals holding the office of a member of Casey City Council

Council officers – means the Chief Executive Officer and staff of Council appointed by the Chief Executive Officer.

Previous Revisions

5 September 2006 Adopted by Council

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1 Purpose

This Parking Precinct Plan identifies Council's requirements for the provision of car parking in the Berwick Village Commercial Centre. It has been prepared for the purpose of incorporation into the Casey Planning Scheme:

- to support altered car parking rates under Clause 52.06 of the Casey Planning Scheme (Scheme); and,
- to ensure that the actual demand for car parking for any proposed use or development as assessed in the course of an application for a planning permit is either provided on site, or a contribution is made for the number of spaces which are required, but not provided, on site. Council will apply the contribution towards the provision and construction of car parking in the commercial centre.

This Plan:

- alters the rates set out in the table to Clause 52.06 for a number of land uses;
- prevents the adoption of a different rate for specified uses;
- modifies the decision guidelines when exercising discretion under Clause 52.06 for other uses; and,
- requires a cash contribution to be made for car spaces which are required but cannot be provided on the land within the core retail areas (ie. land in the Business 1 Zone) which is the subject of a planning application.

Long-standing policies on parking provision have been premised on a joint approach of providing for the purchase and construction of public car parking spaces by using funds raised through special rate schemes and by the use of informal cash-in-lieu schemes.

A major threat to the achievement of orderly and proper planning in relation to appropriate car parking provision is the potential for temporary surpluses of parking to be exploited on a case by case basis to avoid meeting parking requirements. For example, there is a perception that users that have higher demands in the evening hours where there is more supply than demand, are being subsidised by others that are forced to provide car parking for daytime usage. It is the explicit intention of the Parking Precinct Plan that this type of anomaly be addressed by instead adopting a whole of centre approach to car parking.

The strategic basis for this plan is contained in the *Berwick Village Commercial Centre Parking Strategy, 5 September 2006* and the *Berwick Village Commercial Centre Strategy Plan, 5 September 2006*. The *Berwick Village Commercial Centre Strategy Plan* is the approved Development Plan under Clause 43.04 of the Scheme in respect of the Berwick Village Commercial Centre.

The overall objective of this Parking Precinct Plan is to ensure the appropriate provision of car parking spaces in the Berwick Village Commercial Centre. By application of this Parking Precinct Plan, it is more likely that a sufficient supply of car parking in the commercial centre will be maintained and a more equitable means of supplying the car parking be established.

This Parking Precinct Plan will enable Council to provide additional car parking facilities by the construction of additional at-grade car parks within the commercial centre. It is proposed that the at-grade car parking be constructed on land owned by Council. The cost of constructing the spaces and the cost of the land component for each parking space will be funded by contributions received under the contribution scheme implemented by this Parking Precinct Plan.

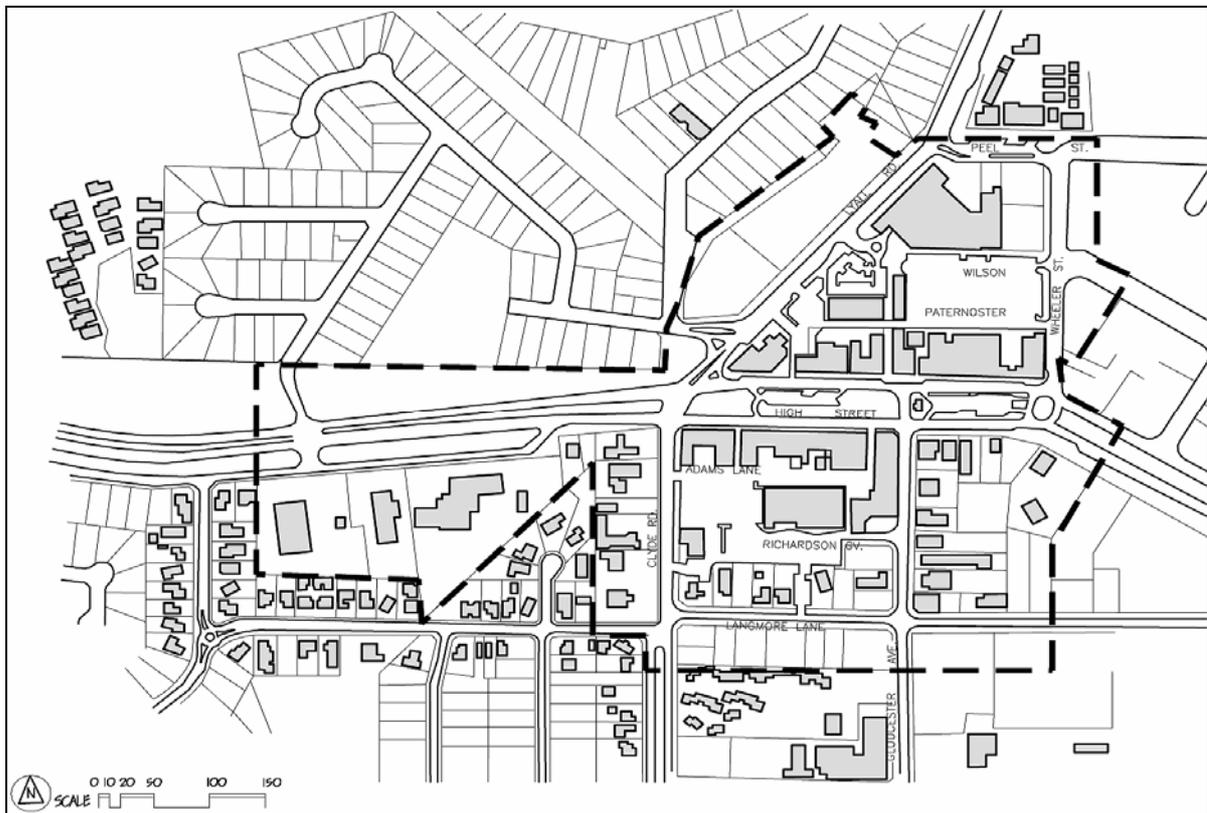
It is intended to recover the cost of the additional at-grade car parking from those that establish new uses or propose new development or intensify existing uses and development within the commercial centre, through requiring payment of an amount per car parking space which is assessed as being generated by the proposal but not provided on the land. This will be known as a "cash-in-lieu" contribution.

2 The Parking Precinct

The Berwick Village Commercial Centre, as shown in Figure 1, straddles both sides of High Street, Berwick and is defined by:

- Peel Street to the north;
- Wheeler Street and the proposed Wheeler Street extension to the east, including all properties fronting these streets;
- Langmore Lane to the south, including all properties fronting this street west of the proposed Wheeler Street extension;
- Clyde Road - Lyall Road to the west, including all properties fronting these roads, north of Langmore Lane and Mansfield Street; and,
- the car sales precinct located west of Clyde Road and the adjoining section of Princes Highway/High Street.

Figure 1 Locality Plan and Berwick Village Commercial Centre Boundary



The area to which this Parking Precinct Plan applies is essentially land within the Berwick Village Commercial Centre zoned Business 1 (B1Z), Business 2 (B2Z), and Business 4 (B4Z), excluding land in the Business 1 Zone on the west side of Lyall Road, Berwick.

Land within the Business 1 Zone (B1Z), excluding land in the Business 1 Zone on the west side of Lyall Road, is affected by the car parking rates, off-site parking provision and financial requirements of the Parking Precinct Plan. Land within the Business 2 Zone (B2Z) and Business 4 Zone (B4Z) is affected by the car parking rates of the Parking Precinct Plan only.

3 Parking Demand and Supply Assessment

The *Berwick Village Commercial Centre Parking Strategy, 5 September 2006* has assessed parking demand and supply based on a number of surveys. It recommends that a Parking Precinct Plan be implemented to define the rates for the provision of car parking in the commercial centre and to provide a mechanism for the funding of additional car parking spaces.

The assessment contained within the *Berwick Village Commercial Centre Parking Strategy, 5 September 2006* makes use of surveys conducted by two firms of traffic consultants carried out over a number of days. These include:

- CS Traffic Surveys parking demand surveys conducted on Friday 19 November 2004 and Saturday 20 November 2004;
- GTA Traffic and Transport Consultants surveys of shop, office and restaurant uses conducted Friday 19 May 2000.

Figure 2 identifies the various parking areas surveyed by CS Traffic Surveys.

3.1 Parking Supply

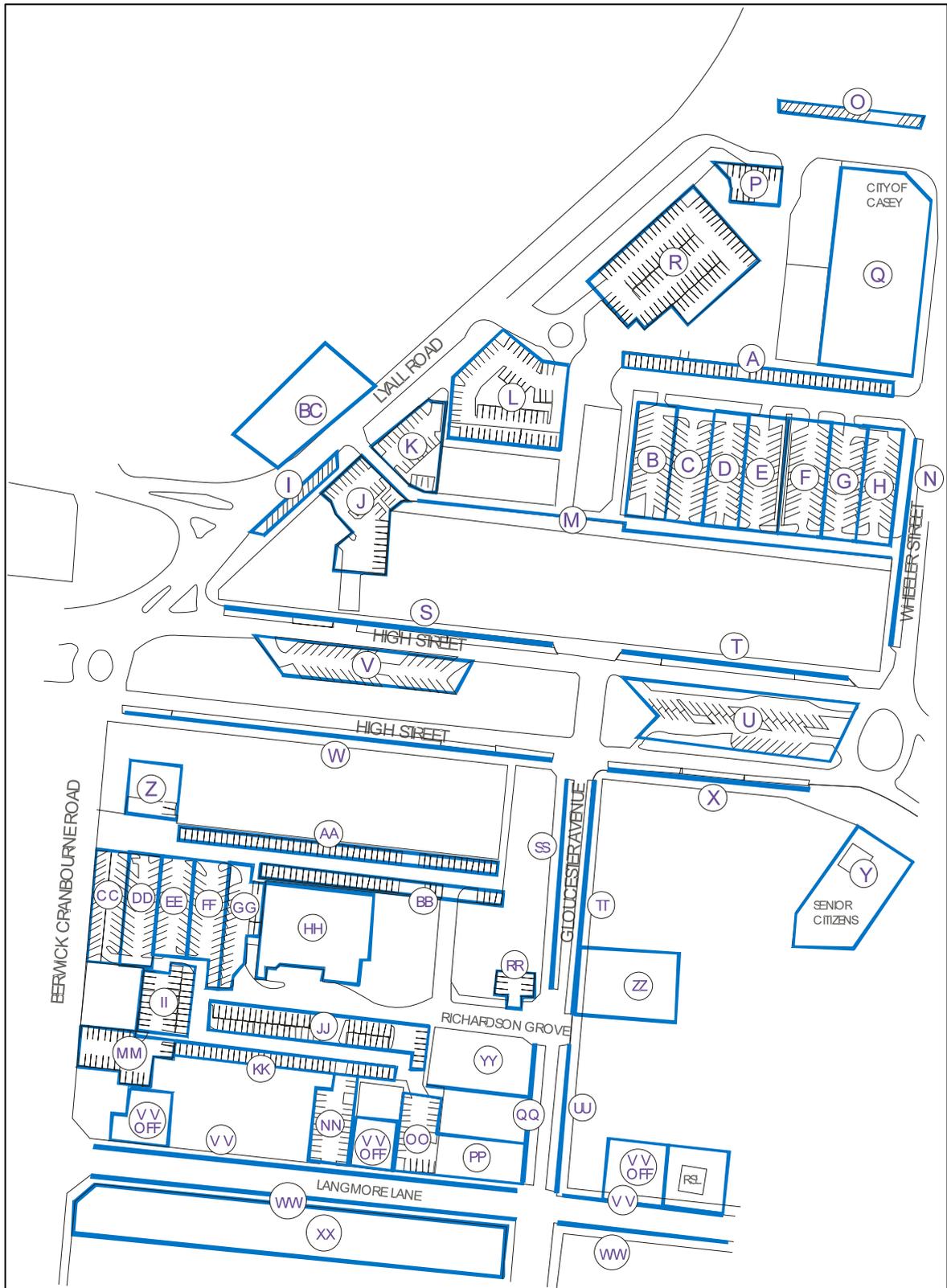
The existing 1480 car parking spaces in the Berwick Village Commercial Centre comprise a combination of 54 informal and 1426 formal spaces, located on public and privately owned land. These spaces have been provided from special rate and charge schemes (691 spaces), through cash-in-lieu contributions (148 spaces), from general rate revenue (37 spaces) and by landowners/developers (604 spaces).

In November 2004¹ there was capacity for parking 1393 cars in 1315 formally constructed spaces and with provision to accommodate up to 78 additional cars informally on vacant land, or land around buildings owned by Council. This supply figure excludes surveyed parking Areas Y, LL, ZZ, the RSL site, VVOff1, VVOff2 and VVOff3 which were outside the Parking Precinct Plan area or were not used for 'public' parking and also Area Q which at the time of the survey was under construction for parking purposes.

Since the surveys were undertaken, Council has formally constructed Areas Q and Z, adjusting the total capacity to 1480 car parking spaces.

¹ Parking Demand Surveys, Berwick Village Shopping Centre, Friday 19 November and Saturday 20 November 2004 by CS Traffic Surveys (3 December 2004).

Figure 2 Parking Survey Areas



3.2 Parking Demand

The parking surveys undertaken by CS Traffic Surveys reveal that the Berwick Village Commercial Centre is operating at close to full capacity during the daytime with demand for parking across the Centre exceeding 90% of the formal supply on Friday from 11.00am – 2.30pm (refer Figure 3). Other findings are:

- Peak daytime demand:
 - Weekday demand was high from 11.00am through to 2.30pm (Friday) with the peak utilization of 94.8% (1236 cars) of the formal parking supply occurring at 1.30pm.
 - On Saturday the peak day demand occurred over a shorter period from 10.30am to 12.30pm, with the peak of 67.5% (887 cars) of the formal parking supply occurring at 10.30am.

- Peak evening demand:
 - Demand was predominantly generated by the restaurants, hotel, and take-away food outlets.
 - On Friday peak demand of 64.5% (848 cars) occurred at 6.00pm and dropped off into the evening.

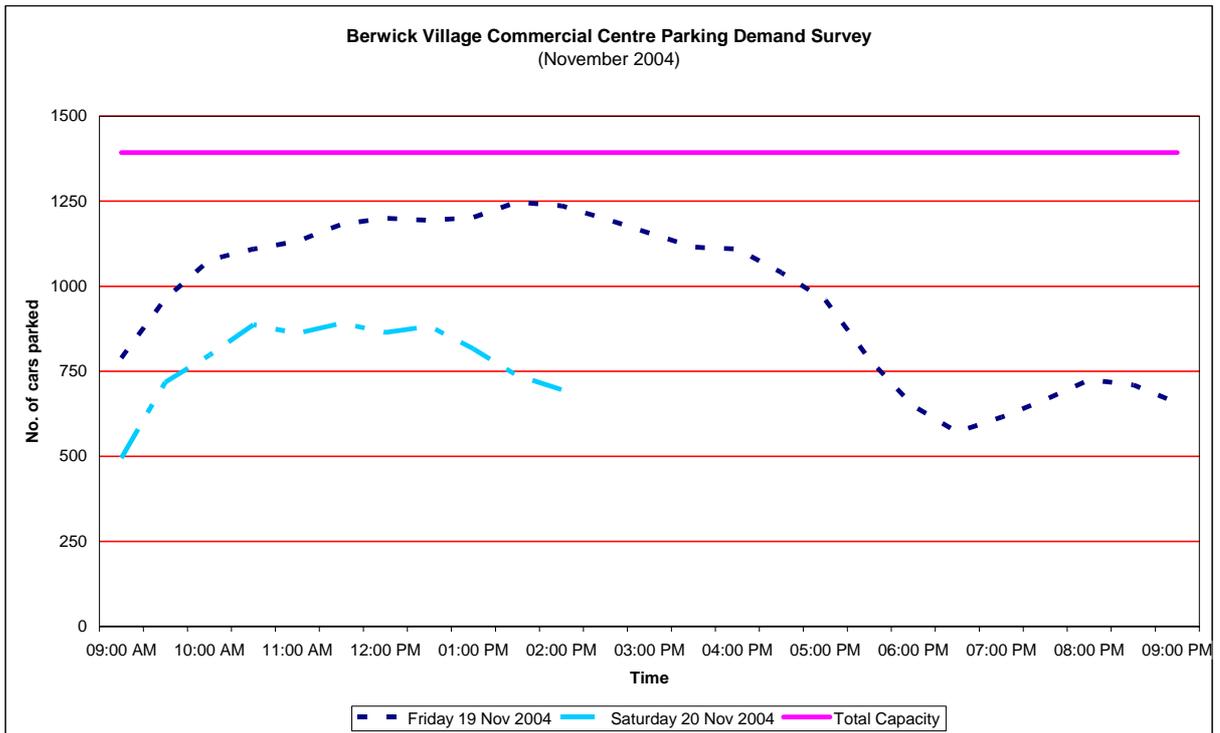
Variances in demand and the duration of peak periods were experienced between different locations:

- High Street: utilization exceeds 90% from 11.30am to 3.30pm.
- Northside: utilization of formal parking spaces exceeds 85% from 12.00noon – 4.30pm.
- Southside: utilization of formal parking spaces exceeds 90% from 11.00am – 2.30pm.

Within these three parking precincts there were also areas that were more convenient for users, and consequently remained at well over 90% capacity for extended periods, particularly:

- Northside (survey Areas A - H) – exceeds 93% capacity from 10.00am to 5.00pm;
- Southside (survey Areas JJ, KK, NN and OO) – exceeds 90% capacity for 11.30am to 3.00pm; and,
- High Street (survey Areas S - X) – exceeds 90% capacity from 10.00am to 3.30pm.

Figure 3 **Parking Demand**



4 Parking Outcomes

4.1 Issues to be addressed

Parking surveys are often used by individual permit applicants to minimise the extent of car parking provided for any proposed land use or development. Parking surveys are frequently carried out on a case by case basis and depending upon the survey used and its methodology, can potentially create a misleading overall impression that there is a parking surplus in the area which justifies a waiver of car parking.

In some cases, it is argued that certain uses have a higher demand during the evening when there is far more parking available, and should therefore have their parking requirement reduced. Council regards this as inequitable to those that supply the spaces or contribute to the supply, as it results in users escaping from making a fair contribution to the provision of car parking on the basis of the available supply during the evening hours – being a supply provided by or contributed to by daytime users.

This Parking Precinct Plan removes the ability to claim a reduction or waiver of car parking under Clause 52.06-1 in respect of specified uses, to stop a case by case approach to the provision of car parking. Council has carried out surveys and analysis which reveals an appropriate provision rate for those specified uses. That provision rate will be adopted as the rate to be supplied.

The Parking Precinct Plan also ensures that all new users and those intensifying existing uses will provide car parking either on the land for, or by way of a cash contribution to the provision of the car parking by Council on public land within the commercial centre.

In respect of all other uses and developments that have car parking implications where a specified rate has not been set by this Parking Precinct Plan, this Parking Precinct Plan provides that while an empirical analysis (or the like) can determine the appropriate demand generated by a use in the place of specified rates, the rate assessed by that process must be provided, either on or off the land. A condition will be imposed requiring that those spaces be provided on the land, or a cash-in-lieu contribution be made for that amount of spaces.

4.2 Intended Outcomes

The intended outcomes of this Parking Precinct Plan are:

- To facilitate the construction of approximately 246 additional at-grade car parking spaces for the Berwick Village Commercial Centre.
- To provide additional parking on land designated for that purpose located west of Gloucester Avenue and south of Richardson Grove to Langmore Lane.
- To more accurately reflect actual demand rates of various uses such as Shop, Restricted retail premises, Restaurant, Hotel, Office and Medical centre in the Table to Clause 52.06.
- To restrict the case by case approach to car parking supply and provision.
- To enable new uses and developments that generate new car parking demand to proceed.
- To achieve an appropriate balance between the demand and supply of parking spaces while allowing new and intensified development.
- To enable a cash-in-lieu contribution for car parking provision to be validly imposed on planning permits for land currently within the Business 1 Zone (B1Z) and Public Use Zone – Local Government (PUZ6), excluding land in the Business 1 Zone on the west side of Lyall Road.
- To require car parking provision to be satisfied on site for land within the Business 2 Zone (B2Z) and Business 4 Zone (B4Z).
- To spread the cost of the infrastructure on an equitable basis.

5 Implementation

5.1 Implementation Mechanisms

To implement this Parking Precinct Plan the following things will be undertaken:

- A Schedule containing new parking requirements, which includes a fixed rate of provision for the uses of Shop, Restricted retail premises, Restaurant, Hotel, Office and Medical centre and removes the ability to vary or waive those fixed rates, will be introduced to the table to Clause 52.06.
- A Schedule specifying that in respect of all other uses, although the standard rates required under Clause 52.06 or otherwise determined to the satisfaction of the responsible authority may, after consideration of an empirical analysis be reduced, that assessed car parking demand of those other uses can not then be waived by reference to factors, such as sharing of spaces, the availability of car parking in the area or any other consideration, and must be provided on the land, or if they cannot be provided on the land be subject to a cash-in-lieu contribution.
- A condition will be imposed on any permit for land currently within the Business 1 Zone (B1Z), excluding land in the Business 1 Zone on the west side of Lyall Road, or Public Use Zone – Local Government (PUZ6) which:
 - authorises a new use that generates car parking demand;
 - authorises any new development in respect of an existing use which results in an increase in car parking demand;
 - authorises any new use and development which results in a creation of car parking demand; and/or,
 - authorises any new use or development which has a car parking implication.

The condition must require a cash-in-lieu contribution in the amount of \$16,935 (indexed in accordance with this Parking Precinct Plan) for each car parking space which is required and which is not provided on the land (allowing for credits from historical entitlements to, and contributions towards car parking).

- An agreement under Section 173 of the *Planning and Environment Act* can, at the request of the applicant/owner, accommodate a system of payment of the required contribution by instalments on the basis that outstanding instalments (and outstanding interest) bear interest at the rate specified for outstanding rates and charges in the *Local Government Act* 1989. The maximum term for payment of instalments will be not more than 5 years.

In support of these statutory measures, the Council will:

- Fund the construction of an additional 246 at grade car parking spaces on land owned by Council.
- Administer the cash-in-lieu scheme and keep accurate records of contributions made to ensure that the scheme ceases when the cost of 246 car parking spaces is recovered.

5.2 Content of the Schedule to Clause 52.06

The decision guidelines in Clause 52.06-1 of the Casey Planning Scheme currently state:

"Before a requirement for car spaces is reduced or waived, the applicant must satisfy the responsible authority that the reduced provision is justified due to:

- *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 considerations."*

The decision guidelines at Clause 52.06-1 are modified by this Parking Precinct Plan to the extent that in considering whether or not to grant a permit for a reduction in car parking spaces in respect of the use or development of any use other than a Shop, Restricted retail premises, Restaurant, Hotel, Office or Medical centre, the only decision guideline that may be taken into account is an empirical assessment.

The schedule at Clause 52.06 is amended to give effect to the following requirements:

- A permit cannot be granted to reduce the car parking requirement for a Shop (large format) of 2000 square metres or more per occupancy, to less than 6.0 spaces to each 100 square metres of leasable floor area, except to the extent that car parking entitlements or credits exist.
- A permit cannot be granted to reduce the car parking requirement for a Shop (small format) of less than 2000 square metres per occupancy, to less than 4.0 spaces to each 100 square metres of leasable floor area, except to the extent that car parking entitlements or credits exist.
- A permit cannot be granted to reduce the car parking requirement for a Restricted retail premises to less than 1.5 spaces to each 100 square metres of leasable floor area, except to the extent that car parking entitlements or credits exist.

- A permit cannot be granted to reduce the car parking requirement for a Restaurant to less than 0.30 spaces to each seat available to the public, except to the extent that car parking entitlements or credits exist.
- A permit cannot be granted to reduce the car parking requirement for a Hotel to less than 7.0 spaces to each 100 square metres of net floor area, except to the extent that car parking entitlements or credits exist.
- A permit cannot be granted to reduce the car parking requirement for an Office to less than 3.5 spaces to each 100 square metres of net floor area, except to the extent that car parking entitlements or credits exist.
- A permit cannot be granted to reduce the car parking requirement for a Medical centre to less than 5 spaces for the first practitioner and 4 spaces for each additional practitioner, except to the extent that car parking entitlements or credits exist.

Any permit for:

- the use of land for Shop, Restricted retail premises, Restaurant, Hotel, Office or Medical centre purposes;
- the reduction of car parking demand in connection with any other use;
- the expansion of floor area of any use which results in more useable space for patrons;
- the issue of a new permit, or the amendment of an existing permit, for or in respect of, an existing use which authorises a higher number of patrons within an existing or redeveloped building, or modifies the hours of use of an existing use; or,
- the development of any land for a use in Sections 1 or 2 of the Business 1 Zone, excluding any use and/or development of land in the Business 1 Zone on the west side of Lyall Road,

must contain a condition to the following effect:

“Prior to the commencement of the use or development allowed under this permit, a payment of \$16,935 (indexed in accordance with the Berwick Village Commercial Centre Parking Precinct Plan) must be paid to the responsible authority in respect of each car parking space required under this Scheme but which is not provided on the land (net of car spaces provided and parking entitlements and credits) to which the application relates.”

or alternatively (if the owner prefers to pay in instalments):

“Prior to the commencement of the use or development allowed under this permit, the owner of the land must enter into an agreement under section 173 of the Planning and Environment Act 1987 in which the owner agrees to pay a contribution of \$16,935 (indexed in accordance with the Berwick Village Commercial Centre Parking Precinct Plan) in respect of each car parking

space which is required under the Scheme but cannot be provided on the land (net of car spaces provided and parking entitlements and credits) to which the application relates.

The agreement may provide for the payment of the contribution in instalments plus an interest component equivalent to the interest payable on unpaid rates and charges under the Local Government Act 1989 and it must provide that all instalments and accrued interest are paid within 5 years of the first instalment.”

The agreement must allow for the contribution amounts to be indexed from 1st October 2006 in the following manner:

- (i). The responsible authority may adjust the cost of the land component of the contribution every quarter, from 1st October 2006, by applying the Consumer Price Index, Melbourne, in Rawlinsons Australian Construction Handbook.*
- (ii). The responsible authority may adjust the cost of the capital works component of the contribution every quarter, from 1st October 2006, by applying the Building Price Index, Melbourne, in Rawlinsons Australian Construction Handbook.*

END