

Planning and Environment Act 1987

Panel Report

Moreland Planning Scheme Amendment C183

Moreland Integrated Transport Strategy

1 April 2020

How will this report be used?

This is a brief description of how this report will be used for the benefit of people unfamiliar with the planning system. If you have concerns about a specific issue you should seek independent advice.

The planning authority must consider this report before deciding whether or not to adopt the Amendment. [section 27(1) of the *Planning and Environment Act 1987* (the Act)]

For the Amendment to proceed, it must be adopted by the planning authority and then sent to the Minister for Planning for approval.

The planning authority is not obliged to follow the recommendations of the Panel, but it must give its reasons if it does not follow the recommendations. [section 31 (1) of the Act, and section 9 of the *Planning and Environment Regulations 2015*]

If approved by the Minister for Planning a formal change will be made to the planning scheme. Notice of approval of the Amendment will be published in the Government Gazette [section 37 of the Act].

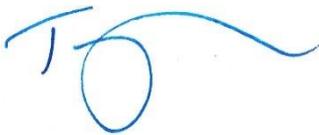
Planning and Environment Act 1987

Panel Report pursuant to section 25 of the Act

Moreland Planning Scheme Amendment C183

Moreland Integrated Transport Strategy

1 April 2020



Trevor McCullough, Chair



Noelene Duff, Member

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Glossary and abbreviations

Council	Moreland City Council
MITS	Moreland Integrated Transport Strategy 2019
MPIP	Moreland Parking Implementation Plan 2019
MSS	Municipal Strategic Statement
NRZ	Neighbourhood Residential Zone
PO1	Schedule 1 to the Parking Overlay
PO2	Schedule 2 to the Parking Overlay
PO3	Schedule 3 to the Parking Overlay
PPF	Planning Policy Framework
PPN46	Planning Practice Note 46: Strategic Assessment Guidelines
PPN57	Planning Practice Note 57: The Parking Overlay

Overview

Amendment summary

The Amendment	Moreland Planning Scheme Amendment C183
Common name	Moreland Integrated Transport Strategy
Brief description	<p>Delete the existing Schedule 1 to the Parking Overlay</p> <p>Insert and apply three new schedules to the Parking Overlay to land in the Brunswick, Coburg and Glenroy Activity Centres (Schedule 1), land within Neighbourhood Activity Centres (Schedule 2) and land located within Local Centres (Schedule 3).</p> <p>Rename current Schedule 2 to the Parking Overlay to Schedule 4.</p> <p>Amend Clauses 21.02 and 21.04 to align with the <i>Moreland Integrated Transport Strategy 2019</i> and <i>Moreland Parking Implementation Plan 2019</i>.</p>
Subject land	The Brunswick, Coburg and Glenroy activity centres, Neighbourhood Activity Centres and Local Centres throughout the City of Moreland.
The Proponent	Moreland City Council
Planning Authority	Moreland City Council
Authorisation	18 August 2019
Exhibition	19 September – 11 November 2019
Submissions	Number of submissions: 265 Opposed: 112

Panel process

The Panel	Trevor McCullough (Chair), Noelene Duff
Directions Hearing	Planning Panels Victoria, 29 January 2020
Panel Hearing	Planning Panels Victoria, 24 and 25 February 2020
Appearances	See Appendix B
Citation	Moreland PSA C183 [2020] PPV
Date of this Report	1 April 2020

Executive summary

Moreland Planning Scheme Amendment C183 (the Amendment) seeks to implement the findings of the *Moreland Integrated Transport Strategy 2019* (MITS) and the *Moreland Parking Implementation Plan 2019* (MPIP) through the application of three new schedules to the Parking Overlay and other related changes to the Planning Scheme.

The Amendment proposes to remove minimum parking requirements and introduce maximum car parking rates for all uses listed in Table 1 of Clause 52.06-5 in the Brunswick, Coburg and Glenroy Activity Centres through applying a new Parking Overlay Schedule 1 (PO1) to these areas. A permit will be required to exceed the maximum requirements.

It is proposed to reduce the standard parking provision prescribed in Clause 52.06-5 Table 1, Column B by 20 per cent in Moreland's twelve Neighbourhood Centres through applying the Parking Overlay Schedule 2 (PO2) to these areas. Column B rates currently apply to Neighbourhood Centres.

Parking Overlay Schedule 3 (PO3) proposes to retain the existing parking provisions to selected areas by applying the Column B rates in Clause 52.06 in Local Centres and other land zoned Residential Growth, Commercial 1 and Mixed Use not covered by other Parking Overlays.

The Amendment proposes the introduction of application requirements and decision guidelines for permit applications and decision guidelines for car parking plans.

The key issues raised by submitters included:

- objection to changes to minimum parking requirements in the planning scheme
- support and opposition to the introduction of maximum parking rates in Activity Centres
- objection to the proposed Activity Centre parking controls applying to Glenroy
- objections to using parking policy as a lever to achieve transport mode shift
- objections to related on-street parking restrictions and parking permit arrangements
- concerns about the consultation process
- concerns about human rights.

The underlying strategic basis for the MITS and MPIP is supported in State and local planning policy and the Panel agrees that supporting lower rates of car ownership through parking controls is a legitimate means to achieve the Council's sustainable transport objectives.

Council has relied almost solely on its policy of reducing car ownership to justify removing minimum rates in favour of applying maximums. Council submitted that the application of maximums would remove barriers to developers providing less (or zero) parking, thereby driving down car ownership and reducing housing costs.

The Panel is concerned that Council has not adequately assessed the current state of parking in Activity Centres and therefore does not have a proper understanding of the possible consequences of the Amendment. There is no mapping of areas of under or over supply and no modelling of future car parking supply and demand based on projected land use.

Planning Practice Note 57 requires, amongst other things that a final car parking plan must include findings from research and surveys that provide factual material to support the plan. The work done to support the Amendment does not meet the requirements of the Practice Note.

The level of survey, analysis and modelling undertaken to inform the Amendment is, by comparison to the work done to support similar amendments in other municipalities, severely lacking.

The result is that the Panel is of the view that the consequences of the proposed Amendment are not adequately understood.

None of this necessarily means that the application of maximum parking rates is not appropriate, it means that the consequences are unknown. The Panel therefore concludes that the Council's idealistic justification for the removal of minimum parking rates in the Activity Centres cannot be supported in the absence of a more fulsome assessment.

The Panel has provided advice for the Council on more detailed survey and modelling work it suggests should be undertaken before the Amendment is progressed. This should include a re-assessment of whether the proposed Activity Centre parking controls should apply to Glenroy.

The proposal to introduce the PO2 to Neighbourhood Centres suffers from the same problem, that is lack of survey, research and modelling to understand the possible consequences of the proposed change.

The Panel believes, however, that the consequences of the relatively minor change to parking provisions in Neighbourhood Centres are likely to be less critical and PO2 could proceed subject to any consequences being checked if a more detailed parking plan is prepared.

The application of PO3 to Local Centres is supported. It retains the current overlay controls that apply Column B rates to these areas.

The addition of decision guidelines in each of the proposed overlay schedules is a sensible way to clarify under what circumstances permits may be granted for more or less car parking than specified in the schedules.

The majority of the submissions relating to parking restrictions and parking permits related to site specific issues rather than the particulars of the Amendment. The Panel agrees with Council that these submissions are not directly relevant to the Amendment.

The Panel notes the understandable confusion by submitters about the parking restrictions and parking permits and their relationship to the Amendment.

The Panel acknowledges Council met its consultation and human rights assessment obligations. It is noted that the relationship between the various strategic work undertaken and the development of the Amendment was not clear to many submitters who were confused and uncertain, leading to submissions that were primarily focussed on parking restrictions and permits rather than the Amendment.

Recommendations

Based on the reasons set out in this Report, the Panel recommends that Moreland Planning Scheme Amendment C183 be adopted in part as per the following recommendations:

1. Adopt the following post-exhibition changes proposed to the Amendment by Council as set out in Council's Hearing submission:
 - a) Revise maps 1PO to 15PO showing areas to be deleted from the Parking Overlay as show in Attachment 2 to Council's Hearing submission.
 - b) Change the first page of the Explanatory Report and the Instruction Sheet as show in Attachment 2 to Council's Hearing submission.
 - c) Change Parking Overlay Map 4PO and add new Schedule 5 to the Parking Overlay applying to 1345 – 1399 Sydney Road, Fawkner as shown in Attachment 3 to Council's Hearing submission.
 - d) Change Parking Overlay Map 9PO to remove land at 173-199 Elizabeth Street, Coburg as shown in Attachment 4 to Council's Hearing submission.
 - e) Change Parking Overlay Map 7PO to move some properties in the Gaffney Village Neighbourhood Centre, Pascoe Vale from Parking Overlay Schedule 2 to Schedule 3 as shown in Attachment 5 to Council's Hearing submission.
2. Abandon the proposed Parking Overlay Schedule 1 until such time as a more comprehensive car parking plan is undertaken that clearly demonstrates that applying maximum car parking rates will not have adverse impacts.
3. Prior to the implementation of Parking Overlay 2, consider any adverse consequences identified in a more comprehensive car parking plan.
4. Implement Parking Overlay Schedule 3 as exhibited.
5. Adopt the proposed changes to Clauses 21.02, 21.04 and 22.03 subject to any consequential changes that may be required as a result of any further work done on a revised car parking plan.

Further recommendations

Based on its understanding of the evidence and submissions provided to it the Panel makes the following further recommendations to assist Council in further work:

A detailed parking plan should be prepared in accordance with the guidance in Planning Practice Note 57 and include as a minimum the following:

- Surveys of existing on-street and off-street parking of all precincts in and around Activity Centres and Neighbourhood Centres over several time periods.
- Modelling for each precinct that considers land use, typical parking rates for each land use and changes in parking demand over different times of day.
- Consideration of whether a range of parking rates (minimums and maximums) might be more appropriate for Activity Centres similar to Maribyrnong Parking Overlay Schedule 1.
- Consideration of the most appropriate maximum rate to be applied (if indeed a maximum is to apply) based on more detailed modelling.
- Consideration of whether Glenroy should be treated differently to Brunswick and Coburg Activity Centres.

1 Introduction

1.1 The Amendment

(i) Amendment description

The Amendment seeks to implement the findings of the *Moreland Integrated Transport Strategy 2019* (MITS) and the *Moreland Parking Implementation Plan 2019* (MPIP) by providing greater statutory guidance for car parking provisions in Moreland through the application of three new schedules to the Parking Overlay. This affects land in the Brunswick, Coburg and Glenroy activity centres (Schedule 1), land in twelve Neighbourhood Centres (Schedule 2), and land in Local Centres (Schedule 3).

As exhibited, the specific changes include:

- delete the existing Schedule 1 to the Parking Overlay
- insert and apply a new Schedule 1 to the Parking Overlay (PO1) to land in the Brunswick, Coburg and Glenroy Activity Centres
- insert and apply Schedule 2 to the Parking Overlay (PO2) to land located within Neighbourhood Activity Centres
- insert and apply Schedule 3 to the Parking Overlay (PO3) to land located within Local Centres and any other land not covered by other Parking Overlays in the Commercial 1 Zone, Mixed-Use Zone and Residential Growth Zone
- rename current Schedule 2 to the Parking Overlay (relating to the Gronn Place Public Housing Renewal project) to Schedule 4
- update Clauses 21.02 and 21.04 to align with the Moreland Integrated Transport Strategy 2019 and Moreland Parking Implementation Plan 2019
- amend Clause 72.03 to insert Parking Overlay Maps (1PO to 15PO).

The Amendment was prepared by Moreland City Council (Council) as Planning Authority and was exhibited for 7 weeks between 19 September and 11 November 2019.

A total of 265 submissions were received by Council (including 45 proformas) and all have been referred to the Panel, including 29 received and accepted by Council after the formal close of exhibition. Of the submissions not requested to be withdrawn, Council noted in its Part A/B Submission that 145 were supportive of the Amendment (56 per cent) while 112 were not supportive (42 per cent).

(ii) The subject land

The Amendment, as exhibited, applies to land in the Brunswick, Coburg and Glenroy Activity Centres, twelve Neighbourhood Centres, all Local Centres and any other land not covered by other Parking Overlays in the Commercial 1 Zone, Mixed-Use Zone and Residential Growth Zone.

1.2 Background

(i) Moreland Integrated Transport Strategy 2019

The MITS 2019 replaced the 2010 version when adopted by Council in March 2019. The MITS provides strategic direction for integrated transport planning in Moreland for the next decade and beyond, aiming to achieve a reduction in car use.

One of the key actions in the MITS is to prepare a planning scheme amendment that implements the changes to car parking requirements in the MPIP (see next section) and encourages sustainable transport in the design of new development in activity, neighbourhood and local centres. The MITS also seeks to expand parking restrictions on particular streets to safeguard them from changes to parking requirements in new development.

(ii) Moreland Parking Implementation Plan 2019

The MPIP was also adopted by Council in March 2019. The MPIP provides more detail on parking changes, including Council's justification for proposed changes to minimum parking requirements in the Planning Scheme for new development. It also provides detail on other parking changes not related to the planning scheme. MPIP identifies the need to establish appropriate parking requirements for new development to achieve the transport mode shift envisaged by MITS. It identifies activity centre hierarchies as an appropriate basis for the level of change to minimum parking requirements proposed through the Amendment.

1.3 Council parking management and permit policy – including recent changes

A Parking Management Policy has been in place in Moreland since 2011. It sets out the conditions under which Council will introduce various parking restrictions, as well as available parking permits. The Parking Management Policy does not allow residents of housing subdivided after August 2011 to access residential parking permits. It also includes a process by which residents may request restrictions in their street or for Council to implement restrictions where a higher turnover of parking is required.

As part of MITS, Council proposed changes to parking management and permit policies. While these changes are external to the planning scheme amendment that this Panel is considering, the Panel notes a significant number of submissions were received regarding parking management and permit policies. One of the key changes included applying timed restrictions to all currently unrestricted street parking within approximately 200 metres of the Brunswick, Coburg and Glenroy Activity Centres, and within twelve Neighbourhood Centres.

Council has since made further changes to parking management and permit policies. Key changes introduced in February 2020 included:

- revised parking restriction area around Coburg and Brunswick Activity Centres to be 200 metres walking distance instead of 'as the crow flies'
- deferred introduction of restrictions in Glenroy until after completion of Level Crossing Removal Project works on the Upfield Railway Line

- revised application of the proposed 2-hour parking restriction from 8am-11pm Monday-Friday to instead apply from 8am-8pm Monday-Friday
- various changes to permits to cater for disability permit holders in post-2011 properties, not for profit organisations, schools and childcare centres and creating a new category of permit (Residential A) for residents living in properties that have been subdivided since 2011 and up until January 2021.

Many submitters were unaware of these changes when the Hearing process started, and the Panel requested Council advise all submitters of the changes before they made presentations to the Panel.

1.4 Council proposed changes to Amendment documents

Council proposed several changes to the exhibited Amendment to address various mapping anomalies as set out in pages 36 and 37 of its submission to the Panel Hearing. Specific changes included:

- addressing various administrative errors in the Parking Overlay maps to avoid conflicting overlapping of existing and new schedules. This affects the maps of all areas to be deleted from a Parking Overlay and required minor rewording of the first page of the Explanatory Report and the Instruction Sheet. (The Panel notes that the Explanatory Report makes no mention of the proposed change to Clause 22.03. This is a minor oversight and is of no consequence.)
- applying new Parking Overlay Schedule 5 to land at 1345 – 1399 Sydney Road, Fawkner which was unintentionally excluded from proposed Parking Overlay Schedule 3. Council advised that a new Schedule 5 would replicate the requirements of existing Schedule 1 until proposed Schedule 3 can be applied to this land in a separate amendment. This requires a modification to Map 4PO and the inclusion of a new Schedule 5 to the Parking Overlay.
- removing land in the General Residential Zone at 173-199 Elizabeth Street, Coburg which was incorrectly included in proposed Parking Overlay Schedule 3. This requires a modification to Map 9PO.
- moving some properties in the Gaffney Village Neighbourhood Centre, Pascoe Vale from Parking Overlay Schedule 2 to Schedule 3, requiring changes to Map 7PO.

The Panel considered the changes proposed by Council. They are all minor changes designed to correct minor anomalies and do not adversely affect any parties. The Panel recommends that the changes be adopted.

Recommendation

The Panel recommends:

- 1. Adopt the following post-exhibition changes proposed to the Amendment by Council as set out in Council's Hearing submission:**
 - a) Revise maps 1PO to 15PO showing areas to be deleted from the Parking Overlay as show in Attachment 2 to Council's Hearing submission.**
 - b) Change the first page of the Explanatory Report and the Instruction Sheet as show in Attachment 2 to Council's Hearing submission.**

- c) **Change Parking Overlay Map 4PO and add new Schedule 5 to the Parking Overlay applying to 1345 – 1399 Sydney Road, Fawkner as shown in Attachment 3 to Council’s Hearing submission.**
- d) **Change Parking Overlay Map 9PO to remove land at 173-199 Elizabeth Street, Coburg as shown in Attachment 4 to Council’s Hearing submission.**
- e) **Change Parking Overlay Map 7PO to move some properties in the Gaffney Village Neighbourhood Centre, Pascoe Vale from Parking Overlay Schedule 2 to Schedule 3 as shown in Attachment 5 to Council’s Hearing submission.**

1.5 Summary of issues raised in submissions

The key issues raised by submitters included:

- changes to minimum parking requirements in the planning scheme
- introduction of maximum parking rates in Activity Centres
- objection to the Activity Centre parking controls applying to Glenroy
- objections to using parking policy as a lever to achieve transport mode shift
- concerns about the consultation process
- objections to related on-street parking restrictions and parking permit arrangements
- concerns about human rights.

1.6 The Panel’s approach

The Panel has assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme.

The Panel considered all written submissions made in response to the exhibition of the Amendment, observations from site visits, and submissions, evidence and other material presented to it during the Hearing. It has reviewed a large volume of material and has had to be selective in referring to the more relevant or determinative material in the Report. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

This Report deals with the issues under the following headings:

- Planning context
- Strategic justification
 - Applying Maximum rates in Activity Centres
 - Reduced minimums in Neighbourhood Centres
 - Applying Column B rates to Local Centres
 - Proposed decision guidelines
- Other issues raised in submissions
 - Parking restrictions
 - Parking permits
 - Amenity and liveability issues
 - Public parking
 - Consultation
 - Human rights charter.

2 Planning context

2.1 Planning policy framework

Objectives of Planning in Victoria

Council submitted that the Amendment implements the objectives for planning in Victoria, set out at section 4 of the *Planning and Environment Act 1987*. In particular, the Amendment implements the following objectives:

- to provide for the fair, orderly, economic and sustainable use, and development of land
- to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria, and
- to balance the present and future interests of all Victorians.

Council submitted that the Amendment would provide for the orderly use and development of Moreland's activity centres consistent with these objectives. The Amendment will provide a clear framework for decision making in relation to car parking.

Council submitted that the Amendment is supported by various clauses in the Planning Policy Framework (PPF), which the Panel has summarised below.

Key themes in the PPF include development supporting public realm, amenity, safety and access to walking and cycling environments, as well as increased housing choice and integration between development and sustainable transport modes.

State policy

Clauses 15.01-4S (Healthy Neighbourhoods), 18.01-2S (Transport System) and 18.02-1S (Sustainable Personal Transport) promote walking and cycling as part of daily life through safe and attractive environments, the reduction of environmental impacts through management of transport, and the use of sustainable personal transport.

Clauses 16.01-3S (Housing Diversity) and 16.01-4S (Housing Affordability) include objectives and strategies to ensure housing stock matches changing demand by widening housing choice, and increasing choice in housing type, tenure and cost to meet the needs of households and diverse communities.

Clause 18.02-4S (Car Parking) aims to achieve an adequate supply of car parking subject to existing and potential modes of access including public transport, the demand for off-street parking, road capacity and the potential for demand management of car parking.

Council submitted that the proposed Amendment, together with proactive management of on-street parking to remove the ability of new developments to rely on this parking as an alternative to off-street parking, aims to provide flexibility for lower rates of parking provision where people are willing to trade off access to parking and car ownership for other attributes such as housing location, quality, size and affordability.

Council submitted that the Amendment will provide flexibility for lower rates of car parking provision where there are lower rates of car ownership, encouraging sustainable transport, improving housing choice and affordability, and contributing to urban design and the public realm which is more orientated towards sustainable transport modes.

Local Policy

Council submitted that the Amendment supports Clause 21.02 (Vision) of the Planning Scheme, which outlines Council's direction for a sustainable Moreland that allows for walking and cycling to meet everyday needs. The Amendment will maximise opportunities for walking, cycling and public transport over private motor vehicle usage and trips.

Council submitted that the Amendment is consistent with Strategic Direction 1 (Activity Centres) and Strategic Direction 2 (Housing) of Clause 21.02-3 of the Planning Scheme through aligning transport policy with the hierarchy of activity centres and improving housing affordability.

Clause 22.03 (Car and Bike Parking and Vehicle Access) seeks to ensure the provision of car, bike and vehicle access and parking, and in particular *“reduced car parking rates in developments within and in close proximity to activity centres, with excellent access to a range of public transport options and with increased provision of bicycle parking above the rates specified in clause 52.34.”* The Amendment inserts a reference in Clause 22.03 that removes its applicability to areas covered by a parking overlay schedules (to avoid duplication) but the intent of Clause 22.03 is retained in each overlay schedule.

2.2 Other relevant planning strategies and policies

(i) Plan Melbourne

Plan Melbourne promotes the concept of the '20-minute neighbourhood'. Council submitted that the Amendment contributes through *“encouraging sustainable transport and local trips, and by slowing the growth of cars and congestion, thereby safeguarding pedestrian and cyclist environments including safety”*.

(ii) Local policies

MITS seeks to encourage integrated transport and land use planning decisions. The policy has identified that existing car parking policies within the Planning Scheme are inconsistent with strategic directions in the Municipal Strategic Statement (MSS) seeking to encourage modal shift from cars to more sustainable transport options.

MPIP identifies that a greater mix of housing with and without parking will provide greater opportunities for households not requiring car ownership to access lower cost housing.

2.3 Planning scheme provisions

The Parking Overlay Schedules proposed as part of the Amendment have been prepared as provided for in Clause 45.09.

The purposes of Clause 45.09 are:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To facilitate an appropriate provision of car parking spaces in an area.
- To identify areas and uses where local car parking rates apply.
- To identify areas where financial contributions are to be made for the provision of shared car parking.

The Parking Overlay operates in conjunction with Clause 52.06.

A schedule to the Overlay may:

- vary the requirements of Clause 52.06 as allowed by this overlay (including permit requirements, number of car parking spaces required)
- specify additional requirements to the requirements of Clause 52.06 as allowed by this overlay (including application requirements and decision guidelines)
- specify requirements for the provision of a financial contribution as a way of meeting the car parking requirements of Clause 52.06 or this overlay.

The Schedules proposed in the Amendment generally include each of these items except for financial contributions, which Council submitted were not compatible with the objectives of minimising costs of development.

2.4 Ministerial Directions and Practice Notes

Ministerial Directions

Council submitted that the Amendment is consistent with the Ministerial Directions as follows:

The Amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Act.

Ministerial Direction No. 9 – Metropolitan Planning Strategy seeks to ensure that planning scheme amendments have regard to Plan Melbourne 2017-2050: Metropolitan Planning Strategy (Department of Environment, Land, Water and Planning, 2017). The Amendment is consistent with the following outcomes:

- Melbourne has an integrated transport system that connects people to jobs and services and goods to market.
- Melbourne is a distinctive and liveable city with quality design and amenity.
- Melbourne is a city of inclusive, vibrant and healthy neighbourhoods.
- Melbourne is a sustainable and resilient city.

The Explanatory Report discusses how the Amendment meets the relevant requirements of Ministerial Direction 11 (Strategic Assessment of Amendments) and Planning Practice Note 46: Strategic Assessment Guidelines (PPN46). A strategic assessment has been undertaken in accordance with this Ministerial Direction and PPN46.

Planning Practice Note

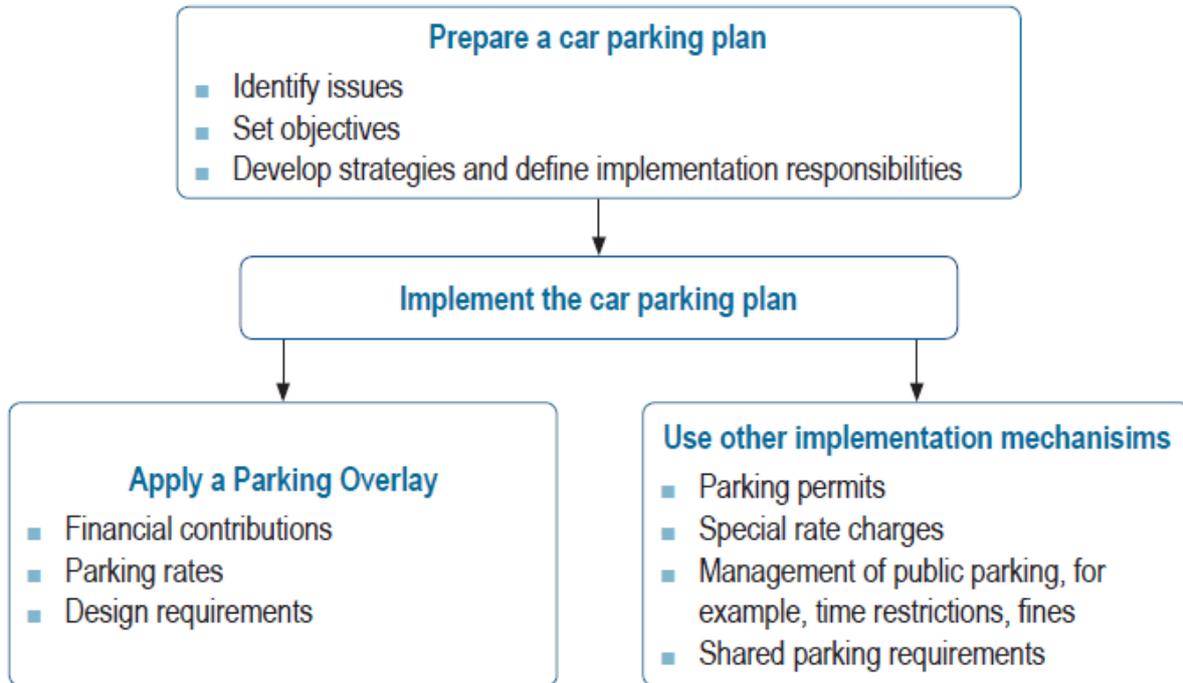
Planning Practice Note 57: The Parking Overlay (PPN57) provides guidance to planning authorities about the preparation and application of the Parking Overlay. It explains what the Parking Overlay is, what it does, when and how to use it and how to complete a schedule to the overlay.

PPN57 states:

Before a Parking Overlay is drafted, it will generally be necessary to prepare a car parking plan that identifies car parking needs and issues, relates these to broader social, economic and environmental considerations and sets out what car parking objectives a council wishes to achieve and how it will do this.

The relationship between a car parking plan, the Parking Overlay and other implementation mechanisms is illustrated in Figure 1¹.

Figure 1 Relationship between a car parking plan and implementation mechanisms



Relevant to applying maximum rates, PPN57 states:

A Schedule to the Parking Overlay may be written in a way that requires a permit if a proposal seeks to exceed a specified car parking rate, rather than the usual situation where a permit is required to reduce the standard number of car parking spaces. Such a requirement is appropriate where a strategic assessment has identified a need to avoid over-providing car parking. For example, in a centre with excellent access to public transport, it may be more appropriate to maximise floor areas for employment generating uses than to require those areas to be devoted to car parking.

The following guidance is included in PPN57 in relation to preparing a car parking plan:

Car parking plans will generally be required to justify variations in parking rates or other requirements in a Parking Overlay. An exception is where a planning authority seeks only to activate the Column B rates.

A car parking plan analyses the car parking conditions and needs of an area as a step towards preparing a Parking Overlay. An assessment of car parking demand and supply **must** be carried out to provide the factual material and analysis needed to justify a Parking Overlay and is a key component of any car parking plan.

A car parking plan will include objectives, strategies and an implementation section. However, as a non-statutory document, it may, and often should, go further.

It may consider car parking as part of an environmental, transport or economic development strategy or urban design framework for a precinct.

A final car parking plan **must** include the following content:

- the objectives of the plan
- the area to which the plan applies

¹ Diagram 1 from PPN57

- findings from research and surveys that provide factual material to support the plan
- an assessment of car parking demand and supply
- car parking strategies proposed to facilitate the plan's objectives
- any locational, financial, design or other actions necessary to implement the objectives and strategies.

(Panel emphasis of most relevant guidance to the Amendment)

Whether or not the Council has adequately followed these guidelines was a key issue identified in submissions and is discussed in the next Chapter.

3 Strategic justification

3.1 The issues

The primary issue is whether the key components of the Amendment have been strategically justified.

Current planning controls in Moreland require a minimum number of car spaces to be provided for every new development, and a permit is required to reduce the provision of car parking below the minimum level. Council submitted that this could result in an oversupply of car parking. The Amendment proposes to introduce maximum car parking rates in the Brunswick, Coburg and Glenroy Activity Centres and reduce the standard parking provision specified in Clause 52.06-5, Table 1 in Neighbourhood Centres.

The Amendment also proposes to introduce additional decision guidelines further to those in Clause 52.06-7. PO1 specifies guidelines that will be considered when an application seeks to exceed the maximum rate specified in the Overlay, while PO2 and PO3 specify guidelines relating to an application to reduce below the minimum rate specified in those Overlays.

The Panel has reviewed the following components individually:

- applying maximum rates in Activity Centres
- reduced minimum rates in Neighbourhood Centres
- applying Column B rates to Local Centres and other areas
- proposed decision guidelines.

3.2 Applying maximum rates in Activity Centres

(i) Background

The Amendment proposes to remove minimum parking requirements and introduce maximum car parking rates for all uses listed in Table 1 of Clause 52.06-5 in the Brunswick, Coburg and Glenroy Activity Centres through applying a new PO1 to these areas. A permit will be required to exceed the maximum requirements.

The Amendment also proposes the introduction of application requirements and decision guidelines for permit applications and decision guidelines for car parking plans.

(ii) Evidence and submissions

Broad strategic basis

Council submitted that the Amendment will provide *“flexibility for lower rates of car parking provision where there are lower rates of car ownership, encouraging sustainable transport, improving housing choice and affordability, and contributing to urban design and the public realm which is more orientated towards sustainable transport modes”*.

Council submitted that the Amendment would provide an incentive for new residents to live without car ownership, reducing congestion and other traffic impacts of population growth.

Council submitted that the Amendment is consistent with Strategic Direction 1 (Activity Centres) and Strategic Direction 2 (Housing) of Clause 21.02-3 of the Planning Scheme

through aligning transport policy with the hierarchy of activity centres and improving housing affordability. Council submitted that the Amendment will likely reduce housing costs²:

The MPIP 2019 estimated that a single car parking space can cost (in a basement setting) upwards of \$40,000. The MPIP 2019 includes analysis to this effect showing the variances in listed sales price for apartments with and without car bays from May 2018.

Council submitted that the Amendment would remove barriers to providing less parking where car ownership rates are lower or where new residents would trade-off car ownership against other attributes.

Eighteen submissions opposed changes to car parking being used to achieve mode shift towards sustainable transport modes. Some submissions disagreed with Council attempting to influence transport mode shift and others agreed in-principle but didn't believe that parking policy was an appropriate tool. Some submissions argued that changes to parking should not be made until improvements to other transport modes, particularly public transport, were in place.

Council responded that MITS identifies changes to parking requirements in the Planning Scheme as one of its key actions to deliver on Council's mode shift objective³:

Allowing more flexible provision of parking in new development has been identified as a key lever by which Council can help slow the growth of cars into Moreland as the population grows. This complements improvements to other transport modes, as increased motor vehicle congestion slows on-road public transport (buses and trams) and reduces the safety and attractiveness of walking and cycling.

MITS 2019 contains a number of actions to improve sustainable transport modes, including advocacy to State Government relating to public transport.

...

It is considered necessary to begin changes to parking now to plan for future population increase, rather than make these changes conditional on certain levels of public transport provision first being provided by the state government.

Strategic basis for removing minimum parking rates and applying maximum rates

Council's primary strategic justification for the Amendment is based on driving a reduction in car ownership and use in favour of more sustainable transport modes. That is one of the main objectives of the MITS.

Council called Mr Coath from GTA as an expert witness. Mr Coath gave evidence that it is appropriate to use mode shift targets as the main strategic driver for the Amendment.

He stated⁴:

Parking plays an instrumental role in supporting broader transport and land use strategies. Parking policies can have both a direct and indirect impact on the ability to achieve the identified transport objectives and strategies. The supply of parking at trip origins and destinations is a strong driver of mode choice.

² Council Hearing submission p13

³ Council meeting agenda 11 December 2019

⁴ Mr Coath's evidence p9

Council submitted that removal of minimum parking requirements does not mean that very low or zero provision of parking is expected or desired in most instances. Council argued that by restricting access to on-street parking, new developments will need to provide off-street parking to meet demand.

Mr Coath gave evidence that the proposed maximum rates for Activity Centres do not necessarily represent an automatic adoption of a zero parking provision. In support of this contention he noted that seven of eleven recent planning applications in Activity Centres had sought reductions in parking.

The submission from Merri Health (Submission 42) submitted that this evidence does not represent evidence of any oversupply of parking but rather is *“a statement of faith in the efficiency of the market.”*

Mr Coath noted that the percentage of dwellings with no car ownership in the Activity Centres ranged between 11 percent (Glenroy) and 22 percent (Brunswick). He argued that this identified a market for dwellings without car parking in the Activity Centres.

The submission from Nightingale Housing (Submission 56) confirmed that it had a large number of its prospective clients willing to sign up to developments with little or no car parking. Nightingale (and 109 pro forma submissions from future residents of the Anstey project) supported the Amendment on the basis that it enabled more sustainable and lower cost housing.

Mr Coath noted examples in Yarra and Melbourne Councils where developers had sought to provide more car parking than required by Council. He argued that this demonstrated that developers will not always seek to minimise carparking, even when the option of zero car parking is available. He opined that developers will more likely respond to match market demand.

Council noted that⁵:

Where minimum parking requirements have been removed in central Melbourne, such as in the CBD, Southbank, Docklands and Fishermans Bend, developments typically contain some parking, demonstrating that demand, and not only parking requirements in the planning scheme, help to determine the provision of parking.

Council noted that car ownership rates and parking demand are generally higher in Moreland than in central Melbourne, it is therefore expected that parking provision in Moreland will be higher.

Council submitted that the removal of minimum requirements would remove a barrier to providing lower levels of parking, provide greater clarity on policy and prevent oversupply.

Mr Carli (representing Merri Health, Submission 42), in his cross examination of Mr Coath, asked what evidence there was of oversupply. Mr Coath referred to the permit applications that sought reductions in parking provision but, when pressed further, agreed there is no current evidence of oversupply in Moreland.

Several submitters including Mr Caputo (Submission 68) submitted that there is in fact already an under supply of car parking in Moreland and it is affecting local area amenity and

⁵ Council hearing submission p16

access to shopping areas. Mr Caputo gave examples of recent car parking approvals that, in his view, provided insufficient on-site parking.

Mr Higginbotham (Submission 212) submitted that removing minimum parking provisions would remove the advantage for Council of being able to negotiate the most appropriate level of parking for a development. He submitted that leaving the decision in the hands of developers is not appropriate.

Mr Bosich (Submission 249) submitted that the removal of minimum parking rates removed the right for Council and the public to scrutinise planning applications with respect to parking. He submitted that the current check and balance is a sensible approach to planning as opposed to trusting developers. He submitted that under the proposed controls the public loses its right to view the planning proposals and air any concerns. Several other submitters, including Merri Health and Ms Neale (Submission 267), supported this position and argued that minimums would provide better control.

Several submitters including Ms Neale suggested that reduced minimums (20 per cent reduction), as proposed for Neighbourhood Centres, may be more appropriate to apply to the three Activity Centres.

Council noted that there is no Victorian example for removal of minimum parking requirements in a non-central city location (e.g. CBD, Southbank, Docklands, Fishermans Bend). Council acknowledged that it is a first mover in this respect however submitted that *“this proposal has strong strategic justification, including in relation to the aspirations of MITS, Council’s framework for parking management, and state policy”*.

Council noted that the Panel for Fishermans Bend Amendment GC81 supported maximum rates as a tool to achieve the sustainable transport goals.

Council quoted the GC81 panel report (page 126):

To achieve sustainable transport goals, a number of strategies will need to work collaboratively. In isolation, improving public transport, walkability or reducing parking rates are unlikely to be as effective. The Review Panel accepts that the broader policy to achieve enhanced sustainability involves a more restrictive car parking ratio and a fundamental shift away from private car ownership and privately owned car parking spaces attached to individual dwellings.

Council submitted that the proposed changes to parking requirements in Moreland are consistent with this approach and are part of a comprehensive integrated transport strategy, based on the goal of increasing sustainable transport mode share.

Mr Coath made reference to the Maribyrnong PO1 – Footscray Metropolitan Activity Centre Inner Parking Precinct Parking Overlay (introduced through Maribyrnong Amendment C125) which adopted a maximum and minimum parking provision and set application requirements and decision requirements for assessing applications. Mr Coath’s evidence was that this was effective in achieving reduced parking provisions and in turn contributing to mode shift away from private car travel.

Council submitted that there were some parallels with the Moreland Amendment and noted that the Panel for Amendment C125 to the Maribyrnong Planning Scheme generally supported the Parking Overlays as exhibited but concluded that:

... more 'fine tuning' may be required in the future to reflect the difference in conditions between, say, an inner-city development site with no residential interface, and a site in the peripheral area adjacent to existing residences.

Ms Neale submitted that the parking overlays in the Melbourne CBD, Docklands, Southbank and southern areas of Carlton are not directly comparable to the Moreland communities. She submitted that the lower density communities in Moreland should be observed and fully understood before considering a maximum (and no minimum) parking rate.

Ms Neale and CERES Inc. (Submission 224) submitted that the recent changes to parking restrictions and permit arrangements undermined the legitimacy of the use of maximums because car owners in new developments would now be able to park on street from 6pm until 10am. This is discussed further in Chapter 4.2.

Research and surveys undertaken

Council noted that the MPIP prepared by GTA Consultants in 2019 is informed by Nearmap observations, undertaken by GTA, of parking and transport conditions in the three Activity Centres and twelve Neighbourhood Centres⁶ on 4 May 2017.

Council conceded that these observations were not occupancy surveys but served as high level descriptions of transport and parking conditions to provide background information and context.

Council submitted that the rationale for proposed changes to parking requirements through PO1 and PO2 does not rely on detailed parking surveys but instead relies on comparison of car ownership and use metrics between the metropolitan Melbourne and Moreland averages, as well as the objective of achieving mode shift.

Council submitted that current minimum parking requirements are unlikely to reflect local demand and that this is demonstrated by the fact that applications to provide parking below the rates specified in the Planning Scheme are frequently sought and approved.

Ms Neale submitted that the absence of trialling (of parking restrictions) and detailed evaluation of appropriate parking rates in each local area suggests that the Amendment has been developed without an evidence base. Ms Attwater (Submission 222) raised similar concerns about the lack of land use mapping and analysis.

Ms Attwater, in her cross examination of Mr Coath, noted that PPN57 provides guidance on car parking plans, noting particularly the requirement for surveys to be undertaken. She asked why no surveys had been undertaken in the preparation of the MPIP. Mr Coath did not provide an adequate response to this, acknowledging only that no detailed surveys had been done.

In response, Council submitted that the guidance in PPN57 is indicative only. He submitted that the rationale for the Amendment is not focussed on survey but is rather more ideologically based.

Ms Attwater submitted that there was no evidence of over-supply of parking. She contrasted the level of research done by Moreland with the City of Melbourne Transport Strategy which she submitted: *"provides a map with detailed breakdown of oversupply of*

⁶ As shown in Appendix A of the PIP

parking, as well as a hundred more pages of evidence and research commissioned for specific gaps and issues identified”.

In response to questions from Mr Duncan, Mr Coath agreed that no assessment had been undertaken of the potential impacts of recent changes to parking permit types and availability on the MPIP or the proposed parking overlays.

Selection of Column B rates as the maximum rate

Council submitted that the selection of Column B rates as the maximums may be conservatively high, and future revision may be required when the impact of this Amendment on car parking provision can be quantified through evaluation.

No other rationale was provided in the Council submission for the choice of the Column B rates as the maximums.

The MPIP refers to the choice of Column B rates as follows⁷:

... the setting of maximum car parking provision requirements at the point of Column B (the current minimum requirements set) for these areas allows for flexibility across each centre for the market to respond accordingly and provide parking as needed.

While this approach technically allows parking to be provided as currently required, evidence from the introduction of parking maximums indicates that the adoption of a maximum rate will naturally encourage and create change in reducing car parking provision and private vehicle travel patterns.

The adoption of a maximum starting point at Column B should, however, be monitored to ensure that change does occur in the way in which parking is provided to meet with the overarching aims of the strategy. Should parking provisions not be reduced as expected, it may be necessary to set reduced maximum requirements to further force change in car parking provisions.

A review of planning applications over the coming 3 years could provide an understanding of development trends and willingness to adopt car parking provisions below the maximum limit.

Application of maximum rates to Brunswick, Coburg and Glenroy

Council submitted that⁸:

.... the Brunswick, Coburg and Glenroy Activity Centres have a broad mix of land uses allowing for sharing of parking between uses and are supported by public transport facilities. The Brunswick and Coburg Activity Centres have access to three modes of public transport, while the Glenroy Activity Centre has access to two modes (train and bus). These centres will experience the highest level of change and growth in coming years and are identified as the primary focus to achieve mode shift within the municipality.

The Parking Management Plan introduces street parking restrictions within at least 200 metres of any development in the Brunswick and Coburg Activity Centres. The Parking Management Plan also proposed restrictions in Glenroy, but these have been deferred until after the Upfield line rail level crossing removal works are completed.

Council submitted that it is appropriate to apply the maximum parking rates (PO1) to the Brunswick, Coburg and Glenroy Activity Centres as these centres provide a broad mix of land

⁷ Parking Implementation Plan p28-29

⁸ Council hearing submission p7

uses, are generally well served by public transport and identified to accommodate the most significant change.

Council acknowledged the differences in population density, access to public transport and development activity in the Activity Centres but argued that the market will take this into account and provide levels of parking appropriate to each centre. It therefore submitted that the same parking rates should apply to all three Activity Centres. Council submitted that it is able to manage any spill over parking by the application of more extensive parking restrictions and by regulating parking permits.

Mr Coath gave evidence that the Activity Centres (Brunswick, Coburg and Glenroy) are the centres where the most significant change must be achieved and must adopt the most aggressive change to the way in which parking is provided for new development.

Several submitters including Ms Attwater and Ms Matthews-Ward (Submission 21) submitted that it is not appropriate to apply the same controls to Glenroy as it is not inner-city and not as well served by public transport. Ms Matthews-Ward submitted that Glenroy is significantly different to Brunswick for the following reasons:

- public transport access is more difficult
- bike access is not as easy
- there is a higher proportion of trade and shift workers who need access to cars.

In response, Council acknowledged that Glenroy does not have the same level of access to public transport compared to the southern half of the municipality. Council submitted that the hierarchy of Activity Centres in the Planning Scheme was also an important factor, and Glenroy's designation as an Activity Centre in the hierarchy of activity centres means it is expected to experience a higher level of change and growth in coming years. Council reiterated that all three Activity Centres should therefore be treated the same.

Council submitted that the impact of the Amendment will be lessened in Glenroy for the following reasons⁹:

- Given higher demand for car parking in Glenroy, new development is expected to contain higher rates of off-street parking than in Brunswick or Coburg, even in the absence of minimum parking requirements
- Glenroy contains off-street parking areas with all-day options which will not be affected by the expansion of parking restrictions
- The geographic area in Glenroy affected by changes to parking restrictions is considerably smaller than that in Brunswick, Brunswick East and Coburg
- Where parking occupancy is lower, there is greater opportunity to introduce longer term parking restrictions (e.g. 4P instead of 2P) to cater for uses such as medical centres and community facilities.

Mr Coath, in response to questions from Mr Steko, acknowledged the higher car ownership in Glenroy (See Figure 2 below) but stated that he was of the view that the proposed controls would provide flexibility enabling the market to respond appropriately.

⁹ Council Hearing submission p31

Figure 2 Car ownership characteristics¹⁰

Location	Car Ownership (veh. per dwelling)	Journey to Work by Car
Coburg	1.44	59%
Brunswick	1.13	41%
Glenroy	1.54	73%

(iii) Discussion**Broad strategic basis**

The underlying strategic basis for the MITS and MPIP is supported in State and local planning policy and the Panel agrees that supporting lower rates of car ownership through parking controls is a legitimate means to achieve the Council's sustainable transport objectives.

The Panel generally supports the contention that if lower car parking rates are applied it is logical that the cost of housing would be lower.

The majority of submissions opposing the Amendment were not concerned with the overall sustainable transport goals of the Amendment, but rather challenged the detail of the parking controls proposed.

Strategic basis for removing minimum parking rates and applying maximum rates

Council has relied almost solely on its policy of reducing car ownership to justify removing minimum rates in favour of applying maximums. Council submitted that the application of maximums would remove barriers to developers providing less (or zero) parking, thereby driving down car ownership and reducing housing costs.

As noted by Council and other submitters, under the proposed PO1 to be applied to Activity Centres, a permit is only required for parking provision above the minimums. Several submitters raised concerns with this approach, arguing that developers are more likely to under supply and this may result in consequences for on street parking and amenity of the local areas.

The Panel supports the use of maximum rates as a tool to achieve sustainable transport goals in appropriate situations where there is clear justification and the impacts of the proposed approach are clearly understood. The Panel agrees with Ms Neale that Brunswick, Coburg and Glenroy are not, however, comparable to inner city scenarios where maximum (and no minimum) rates apply.

The Panel believes that there are closer parallels to Maribyrnong but notes that in comparable locations in Maribyrnong, a range (maximum and minimum) was adopted. This has the benefit of preventing oversupply (through maximums) and ensuring at least some level of parking (through minimums). The Panel notes that Maribyrnong PO1 also provides clear decision guidelines for considering applications for parking provision above maximums or below minimums (including to zero). The Panel believes that this approach (maximums and minimums) may better suit the Moreland context and warrants further investigation.

¹⁰ Table 6.3 of the Parking Implementation Plan (from 2016 ABS census data)

The Panel has some concerns about allowing developers to determine parking provision down to as low as zero but not because they can't be trusted as suggested by some submitters. The Panel is concerned that there is not an adequate understanding of parking provision in Moreland that would assist developers in determining appropriate parking levels. There is no mapping of areas of under or over supply and the recent changes to parking restrictions and permits are, to say the least, confusing. The lack of information is discussed further in the next section.

Research and surveys

The Panel is concerned that Council has not adequately assessed the current state of parking in Activity Centres and therefore does not have a proper understanding of the possible consequences of the Amendment.

PPN57 sets out guidance for the preparation of a car parking plan to inform a parking overlay:

A final car parking plan must include the following content:

- The objectives of the plan
- The area to which the plan applies
- Findings from research and surveys that provide factual material to support the plan
- An assessment of car parking demand and supply
- Car parking strategies proposed to facilitate the plans objectives
- Any locational, financial, design or other actions necessary to implement the objectives and strategies.

It is evident from Council submissions and expert evidence that no detailed surveys have been done and there has not been an assessment of car parking demand and supply. In this respect the background work for the Amendment clearly does not meet the requirements of PPN57. Council submitted that the guidance in the Practice Note is indicative only. While the Panel agrees that the Practice Note is a guideline, it does have considerable status in the planning system and should be followed unless there are compelling reasons not to. The reference in PPN57 to "*the guidance is only indicative*" quoted by Council relates only to the six steps set out in the Practice Note as a typical path toward preparing a car parking plan. In the Panel's view this does not diminish the obligation to properly research the implications of the proposed Amendment.

Council has argued that survey work is not necessary because Council instead relies on comparison of car ownership and use metrics between the metropolitan Melbourne and Moreland averages, as well as the objective of achieving mode shift.

Even if the Panel accepts this idealistic approach, the Panel believes that it is incumbent on all planning authorities to properly understand the potential consequences of an amendment to be able to be sure that there will be net community benefit.

The Panel has examined the extent of survey work, research and analysis done for the following comparable parking amendments:

Maribyrnong C125

- implemented maximums and minimums for a range of land uses.
- based on a detailed car parking study prepared by GTA consultants May 2013.

- study included detailed surveys in all precincts in the study area conducted over two days.
- a model was developed that considered land use, typical car parking rates for each land use, temporal distribution during the day and existing demand.
- based on projected future changes in land use, the report recommended an approach to car park provision.
- the report concluded that it was appropriate to apply maximum rates in the core of the activity area to guard against overprovision of car parking. The report recommended that minimums also be applied to avoid a situation where too many developers under supply parking (causing increased car parking congestion). The report recommended a staged approach to provide some protection to Council that at least some level of car parking will be provided. Such an approach also allows Council to consider the appropriateness of reduced rates to zero rather than an automatic right to provide no parking.

Whitehorse C158

- based on the Box Hill Central Activities Area Car Parking Strategy GTA June 2014.
- surveyed off street and on street supply.
- a demand and supply analysis was conducted.
- car ownership and journey to work data was analysed.
- a land use analysis was conducted.
- future car parking was modelled for different land uses.
- recommended a range of actions including reduced minimum rates.

The Panel also notes the extensive work done by Melbourne City Council in the preparation of the City of Melbourne Transport Strategy as mentioned in Ms Attwater's submission.

The level of survey, analysis and modelling undertaken to inform Moreland C183 is, by comparison, severely lacking. The result is that the Panel is of the view that the consequences of the proposed Amendment are not adequately understood. There is no understanding of areas of existing under or over supply, there is inadequate understanding of supply and demand and no modelling of how future land use changes might affect parking supply and demand.

None of this necessarily means that the application of maximum parking rates is not appropriate, it means we just don't know what the consequences might be. The Panel therefore concludes that the Council's idealistic justification cannot be supported in the absence of a more fulsome assessment.

Selection of Column B rates as the maximum rate

The basis for the adoption of Column B rates as the maximum was stated in the MPIP as *"allows for flexibility across each centre for the market to respond accordingly and provide parking as needed"*. It seems to the Panel that this is a poor basis to set the maximum and that if there was a better understanding of future supply and demand based on land use modelling a much more informed figure could have been arrived at.

If a 20 percent reduction on Column B (minimum) rates is implemented for Neighbourhood Centres it means that the as of right car minimum parking rates for Neighbourhood Centres

will be 20 percent lower than the as of right maximum for Activity Centres. This seems anomalous.

Application of maximum rates to Brunswick, Coburg and Glenroy

The key issue is should the same controls be applied to all three Activity Centres.

Council and some submitters identified that Glenroy is somewhat different to the other Centres. It is common ground that car ownership is higher and access to other transport modes is more restricted in Glenroy. Council's main rationale for including Glenroy with Brunswick and Coburg was that it is classified as an Activity Centre and is therefore identified for higher future growth. Council argued that all Activity Centres should be treated the same.

Council submitted that the impact of the Amendment will be lessened in Glenroy because the market will likely want to provide higher levels of car parking and that there are not the same pressures on on-street parking as in the other centres.

The Panel believes that while it might be desirable to treat all Activity Centres of the same hierarchy similarly there is also a case to consider Glenroy differently. The Panel believes that had a more detailed analysis of parking demand and supply been done it would have been clearer how Glenroy should be approached. In the absence of modelling of future land use and its impacts on parking it is not possible to accurately assess the impacts of the proposed Amendment on Glenroy.

(iv) Conclusions

The Panel concludes:

- the underlying strategic basis for the MITS and MPIP is supported in State and local planning policy and the Panel agrees that supporting lower rates of car ownership through parking controls is a legitimate means to achieve the Council's objectives.
- the use of maximum rates is a valid tool to achieve sustainable transport goals in appropriate situations where there is clear justification and the impacts of the proposed approach are clearly understood.
- the approach adopted by Maribyrnong in adopting maximum and minimum parking rates (i.e. a range) may be a more appropriate approach in Moreland and warrants further investigation.
- Council has not adequately assessed the current state of parking in Activity Centres and therefore does not have a proper understanding of the possible consequences of the Amendment.
- no detailed parking surveys have been done and there has not been an assessment of car parking demand and supply. The background work for the Amendment therefore does not meet the requirements of PPN57.
- the level of survey, analysis and modelling undertaken to inform the Amendment is severely lacking. The Panel is of the view that the consequences of the proposed Amendment are not adequately understood. There is no understanding of areas of existing under or over supply, there is inadequate understanding of supply and demand and no modelling of how future land use changes might affect parking supply and demand.

- Council's idealistic justification based on influencing car ownership levels cannot be supported in the absence of a more fulsome assessment that examines the potential consequences.
- the use of Column B rates as the maximum rate has not been adequately assessed.
- there should be a re-assessment of whether the same Activity Centre parking controls should apply to Glenroy as to Brunswick and Coburg once more detailed survey and modelling is completed.

(v) Recommendation

The Panel recommends:

- 2. Abandon the proposed Parking Overlay Schedule 1 until such time as a more comprehensive car parking plan is undertaken that clearly demonstrates that applying maximum car parking rates with no minimum rates will not have adverse impacts.**

(vi) Further recommendations

Based on its understanding of the evidence and submissions provided to it the Panel makes the following further recommendations to assist Council in further work:

A detailed parking plan should be prepared in accordance with the guidance in Planning Practice Note 57 and include as a minimum the following:

- **Surveys of existing on-street and off-street parking of all precincts in and around Activity Centres and Neighbourhood Centres over several time periods.**
- **Modelling for each precinct that considers land use, typical parking rates for each land use and changes in parking demand over different times of day.**
- **Consideration of whether a range of parking rates (minimums and maximums) might be more appropriate for Activity Centres similar to Maribyrnong Parking Overlay Schedule 1.**
- **Consideration of the most appropriate maximum rate to be applied (if indeed a maximum is to apply) based on more detailed modelling.**
- **Consideration of whether Glenroy should be treated differently to Brunswick and Coburg Activity Centres.**

3.3 Reduced minimum rates in Neighbourhood Centres

(i) Evidence and submissions

It is proposed to reduce the standard parking provision prescribed in Clause 52.06-5 Table 1, Column B requirement by 20 per cent in Neighbourhood Centres through applying PO2 to these areas. Column B rates currently apply to Neighbourhood Centres. A permit would be required to provide less than the reduced rate.

The PO2 is proposed to be applied to Moreland's twelve Neighbourhood Centres which provide a mix of uses to meet daily and weekly needs of the local community. They generally include (or have the potential to include) shops, a supermarket, small service businesses, coffee shops, medical/health clinics, public transport and limited community services.

Mr Coath gave evidence that these are centres that can generally tolerate a level of reduced car parking provision with a mix of land uses and the ability to change mode given their access to transport alternatives and walkable catchments.

He noted¹¹:

However, the surrounds of these centres are often more sensitive to parking overspill with closer residential interfaces and lesser existing parking controls. Therefore, a more careful balancing of parking provision has been recommended adopting a minimum parking provision requirement approach as being appropriate at this time.

Council submitted that the reduced rate would help to encourage lower rates of vehicle ownership and mode shift towards sustainable transport modes, while recognising Neighbourhood Centres generally do not have the same level of access to public transport and destinations such as shops.

Council provided the following table (Figure 3) that indicates that the average demand for car use and ownership in Moreland is currently approximately 10 to 20 per cent lower than the Melbourne metropolitan average:

Figure 3 Car ownership in Moreland compared to Melbourne average

Data Source	Moreland average	Melbourne metro average	Difference (proportional)
Mode share for journeys to work (Census)	55% car driver	70% car driver	22 per cent
Mode share for all trips (Victorian Integrated Survey of Travel and Activity)	46% car driver	52% car driver	11 per cent
Vehicle ownership (Census)	1.40 vehicles per dwelling	1.69 vehicles per dwelling	17 per cent

Council submitted that this reduced car ownership justifies a reduction of parking requirements in the order of 10 to 20 per cent and would better reflect existing conditions and car demand in Moreland.

Council submitted that selecting a 20 per cent reduction, which is at the top of this range, is appropriate given Council's desire to achieve mode shift, and not only reflect current conditions. Mr Coath's evidence supported this approach.

Council submitted that the reduced minimum still allows flexibility for the market to provide more parking if required (subject to permit).

Council noted that it is expanding parking restrictions in Neighbourhood Centres to reduce the ability for new development to rely on on-street parking rather than providing for off-street parking to meet the demand generated by the development.

¹¹ M Coath's evidence p20

Council noted that the Panel for Amendment C158 to the Whitehorse Planning Scheme supported reducing parking requirements on the basis of desired mode shift.

Council submitted that¹²:

... proactive expansion of parking restrictions together with its permit policy that caters for long-term parking needs of residents, workers, etc. as well as allowing casual all-day parking (through the daily parking permit) provides a robust system for parking management.

This system manages spillover issues both proactively and reactively, and contains measures to meet the needs of residents, workers and others while also achieving Council's mode shift aims.

Approximately 30 submissions raised issues about reductions in parking requirements, expressing concern that if inadequate parking was provided by new development the spillover parking would create amenity issues in local areas. Submitters were not generally opposed to the 20 per cent reduction to Column B parking rates in Neighbourhood Centres specifically, but more to the consequent changes to parking restrictions.

Council responded that it acknowledged that there may be some spillover car parking but that this can be managed by changes to parking restrictions and parking permits.

(ii) Discussion

The proposal to introduce the PO2 to Neighbourhood Centres suffers from the same problem discussed in section 3.2, i.e. lack of survey, research and modelling to understand the possible consequences of the proposed change.

The Panel believes, however, that the consequences of the relatively minor change to parking provisions in Neighbourhood Centres are likely to be less critical. It is clear that the proposed changes to parking restrictions are not popular in the community, but the Panel believes that the implementation of PO2 is less likely to have a significant effect on spillover issues than the implementation of PO1 in the Activity Centres.

The Panel is of the view that the circumstances relating to PO2 are different to PO1 because PO2 retains minimum rates and any permit application to reduce parking would therefore remain open to Council consideration and third-party scrutiny. Council therefore retains control over what is approved, and residents have a right to express any concerns before a decision is made.

The Panel believes the proposed 20 per cent reduction in the Column B rates for Neighbourhood Centres is reasonable subject to checking the consequences of the proposal identified in a more comprehensive parking plan as recommended by the Panel.

¹² Council Panel submission p19

(iii) Conclusions

The Panel concludes:

- similar to the proposed PO1, there is a lack of survey, research and modelling to understand fully the impacts of applying the PO2 to Neighbourhood Centres.
- the consequences of the relatively minor change to parking provisions in Neighbourhood Centres are likely to be less critical. The implementation of PO2 is less likely to have a significant effect on spillover parking issues.
- PO2 could proceed as exhibited but would benefit from review before implementation if a more detailed parking plan is to be prepared as recommended by the Panel.

(iv) Recommendation

The Panel recommends:

- 3. Prior to the implementation of Parking Overlay 2, consider any adverse consequences identified in a more comprehensive car parking plan.**

3.4 Applying Column B rates to Local Centres and other areas**(i) Evidence and submissions**

PO3 proposes to retain the existing parking provisions in selected areas by applying the Column B rates in Clause 52.06 in Local Centres and other land zoned Residential Growth, Commercial 1 and Mixed Use not covered by other Parking Overlays.

Council submitted that these are areas where limited growth is likely to occur, and where there may not be good access to public transport, shops and other services. It was considered appropriate not to reduce parking requirements as proposed in Activity Centres and Neighbourhood Centres.

Applications to provide reduced parking in these areas would continue to be considered against the additional decision guidelines proposed to be introduced through this Amendment.

Mr Coath gave evidence that these Local Centres are expected to experience limited growth in coming years, and as such their contribution (from a provision of future parking) to achieving the objectives of the MITS is also likely to be limited. The relevance therefore of trying to define specific requirements for these Centres is limited and could continue to be dealt with on a case by case scenario.

The intention of including areas other than Local Centres within PO3 is that any land where the existing PO1 currently applies will have a replacement overlay with one of the proposed Parking Overlay Schedules (i.e. PO1, PO2 or PO3), rather than the existing Overlay simply being deleted.

Submissions did not specifically oppose the application of PO3 to Local Centres.

(ii) Discussion

The application of PO3 to Local Centres seems sensible. It retains the current overlay controls that apply Column B rates to these areas.

(iii) Conclusions

The Panel concludes that the application of PO3 to Local Centres should be supported.

(iv) Recommendation

The Panel recommends:

- 4. Implement Parking Overlay Schedule 3 as exhibited.**

3.5 Proposed decision guidelines

(i) Evidence and submissions

The Amendment proposes to introduce additional decision guidelines further to those in Clause 52.06-7. PO1 specifies guidelines that will be considered when an application seeks to exceed the maximum rate specified in the Overlay, while PO2 and PO3 specify guidelines relating to an application to reduce below the minimum rate specified in those Overlays.

No submissions were received in relation to the proposed decision guidelines.

(ii) Discussion and conclusion

The addition of decision guidelines in each of the proposed overlay schedules is a sensible way to clarify under what circumstances permits may be granted for more or less car parking than specified in the schedules.

The Panel supports the use of decision guidelines as proposed but notes that some changes may be required to the wording as a result of issues identified in the more comprehensive parking plan recommended by the Panel.

3.6 Other parts of the Amendment

In addition to the proposed changes to Parking Overlay schedules, the Amendment proposes to update Clauses 21.02, 21.04 and 22.03 to align with the MITS and MPIP.

The proposed changes are general in nature and simply clarify references to the MITS and MPIP. The proposed changes were not specifically challenged by submitters. Nevertheless, if further survey and modelling work is done as recommended by the Panel, the MPIP may change and consequential changes may therefore be required to Clauses 21.02, 21.04 and 22.03.

Recommendation

The Panel recommends:

- 5. Adopt the proposed changes to Clauses 21.02, 21.04 and 22.03 subject to any consequential changes that may be required as a result of any further work done on a revised car parking plan.**

4 Other issues raised in submissions

4.1 The issues

Submitters raised several issues with the MITS and the MPIP which were not strictly part of the Amendment.

The MPIP purpose is to *“provide further detail on car parking related actions in the MITS both to provide strong justification for these changes and to provide further detail to guide implementation”*. The MPIP further details *“importantly this document provides the detail required to implement changes to the Moreland Planning Scheme envisaged by MITS.”*

The issues raised by submitters that related to the MPIP included:

- parking restrictions
- parking permits
- amenity and liveability issues
- public parking.

Submitters raised several other issues that related to Council’s process or to other unrelated issues.

The issues raised include:

- consultation
- human rights charter.

4.2 Parking restrictions

(i) Background

The MITS outlined proposed parking restrictions to all currently unrestricted street parking within 200 metres of the Brunswick, Coburg and Glenroy Activity Centres and within the twelve Neighbourhood Centres.

Council submitted details of the consultation undertaken on the MITS including:

- three periods of consultation dating back to 2017 including online surveys, pop up events and stakeholder workshops
- specific proposals to change parking restrictions were undertaken between July to August 2018
- 39,000 letters were sent out during this period resulting in 800 submissions received and 24 public submissions presented to Council
- 54 per cent of submissions opposed the changes to parking restrictions, 39 per cent supporting and 7 per cent conditional support.

In response to the consultation, Council officers proposed changes to the parking restrictions originally proposed and the restrictions were formally adopted by Council in March 2019. The parking restriction to generally apply was 2 hours from 8am to 11pm Monday to Friday to enable greater flexibility for night-time visitors and weekends. Following further community feedback, primarily via customer service requests, Council determined the restrictions would be progressively implemented.

Following formal exhibition of the Amendment, Council adopted further changes to parking restrictions (and permits) in November 2019 and again in February 2020 in response to concerns raised by affected residents.

On Day 1 of the Panel Hearing, the Panel requested detail of the changes adopted by Council at its meeting of 12 February 2020. The Panel suggested these changes be circulated to all submitters to the Amendment process.

In summary, the changes adopted by Council on 12 February 2020 altered the time of parking restrictions to 2 hours from 8am to 8pm Monday to Friday (previously 8am to 11 pm), outlined new parking permit changes, notably allowed a new parking permit for residents living in properties subdivided since 2011 and up to January 2021 and a range of other changes including discontinuing proposed changes in Pascoe Vale. The issue of parking permits is discussed in more detail in section 4.3 of this report.

Mr Coath gave evidence that he was generally comfortable with the changes made by Council. In response to questions from submitters which covered a range of matters including general criticism of the Amendment, Mr Coath referenced the MITS and outlined the various protections for parking provisions including the revised permits and access for special needs groups and organisations servicing them.

(ii) Submissions

Ninety-two submissions related to changes to parking restrictions and eighty-eight opposed the parking restriction changes. Council submitted that this is a key action of the MITS and not part of the Amendment.

The Panel notes that many submitters indicated significant confusion about the Amendment, the MITS and the MPIP, the relationship between these documents and that the implementation of parking restrictions was not clearly understood. The Panel suggests that the multiple alterations and changes that occurred throughout the consultation on the MPIP confused submitters and the community more broadly. The Panel heard from multiple submitters stating they had not heard about the proposed changes to parking restrictions until they were being implemented and did not understand the rationale behind decisions to impose parking restrictions in specific streets. The Panel agrees with these submitters that the multiplicity of changes made subsequent to the advertising of the Amendment has interfered with the Amendment consultation.

Submitters who resided in the areas affected by the parking restrictions and opposed the parking restrictions (including Mr Higginbotham, Submission 212) described the whole process as piecemeal and many commented with confusion about the multitude of changes and adjustments made by the Council during the various stages of consultation about the MITS, MPIP and the Amendment itself.

Notable comments from submitters included:

- claims about the lack of certainty for residents with Council being able to change restrictions (and permit conditions) so frequently
- the establishment of a resident group called 'Fair Parking Moreland' who proposed to petition Council on the proposed parking restrictions
- ideology ahead of resident interests
- the lack of strategic work in Glenroy to support restrictions

- no translation of any circulated material into other languages.

The lack of consideration of special needs individuals in the community and community agencies supporting people with special needs was strongly argued by Merri Health (Submission 42) and Vincent Care (Submission 213) as well as a number of individual submitters (Submissions 21, 267, 204). Ms Neale (Submission 267) was one of a number of submitters who spoke of the restrictions being unnecessarily punitive and the changes adopted by Council in February 2019 as compromising the integrity of the Amendment.

Submitters supporting the changes indicated recognition of their attraction to the Moreland area (particularly Brunswick) where they could embrace a sustainable lifestyle, where car use could be minimised due to excellent public transport access and support for the concept of maximum car parking rates leading to more affordable housing choices. Mr McLeod from Nightingale Housing (Submission 56) argued the Amendment strongly supported more affordable housing choices. Mr McLeod indicated that where no parking was included in developments, lower development costs were passed onto purchasers. Mr McLeod stated that purchasers actively chose housing on the basis of proximity to public transport and therefore did not want to pay for a car park that they would not utilise. The Panel noted that 109 of the supportive submissions were pro forma type submissions linked to Nightingale Housing.

Submitters focussed significant attention on the lack of empirical data to support the imposition of parking restrictions, such as parking surveys demonstrating demand and supply and modelling of current approved and proposed developments (Submissions 21, 42, 68, 213, 249, 250, 267).

Ms Neale (Submission 267) drew comparisons to other local councils in Melbourne that have proposed similar changes that unlike Moreland City Council had undertaken surveys and trials in support of similar parking restrictions

(iii) Discussion

The Panel notes that the consultation process undertaken by the Council for the MITS and the MPIP has occurred over a lengthy period and was aimed to inform the community of Council's strategic direction for integrated transport planning and their aim to reduce car usage.

The Panel is concerned that the ongoing changes to parking restrictions by Council subsequent to the Amendment consultation have led to a lack of clarity about the Amendment overall and compromised the process.

The majority of the submissions relating to parking restrictions related to site specific issues rather than the particulars of the Amendment. The Panel agrees with Council that the majority of these submissions are not directly relevant to the Amendment, but understands the confusion experienced by the community about the relationship between the Amendment and the parking restrictions.

(iv) Conclusion

The Panel notes the understandable confusion by submitters about the parking restrictions and their relationship to the Amendment. Where parking restriction issues have an impact

on the issues that are directly relevant to the Amendment, the Panel has commented under the relevant section (see Chapter 3).

4.3 Parking permits

(i) Background

The Parking Management Policy has been in operation since 2011 with adjustments adopted in June 2019, November 2019 and February 2020 in response to community feedback, including feedback sought during the Amendment consultation period. The policy provides the conditions under which various parking restrictions and permits are administered. The Parking Management Policy details restricted access to parking permits that applied to residents of housing subdivided after August 2011, aimed at providing protection from parking impacts associated with population growth for existing residents who rely on street parking¹³.

Subsequent to the MITS consultation there have been multiple adjustments to the parking permits made by Council in November 2019 and again in February 2020.

The changes approved by Council when the MITS 2019 was adopted created a new permit type at a higher cost.

At the request of the Panel, Council tabled a summary of the changes made by Council at its meeting of 12 February 2020¹⁴:

- residential A permit - for residents living in properties that have been subdivided since 2011 (and up to January 2021) and are located in areas that previously had unrestricted parking, to allow all day parking only in the areas that are currently unrestricted
- removal of the limit on business parking permits for registered not for profit organisations, schools and childcare centres to allow all day parking
- reduced daily parking rates in specific locations (Glenroy and Merlynston train station)
- deletion of parking changes in Pascoe Vale.

Council submitted that the February 2020 changes provided more affordable long-term parking options for residents living in properties subdivided after August 2011. Other changes included by Council are the eligibility for permits for people with a disability and no limit to permits for registered not for profits, charities, schools or early years services. Also included is a 'fast track' process for responding to specified requests.

(ii) Submissions

Submitters' comments about parking permits were primarily from those opposed to the proposed changes. The Panel observed confusion from submitters presenting to the Hearing about the whole permit process as well as the parking restrictions. The Panel is concerned at the number of submissions that focussed on matters related to the permit changes as opposed to the substance of the Amendment. Objectors indicated a concern about paying

¹³ Council Hearing submission p8, p33

¹⁴ Document 7

for parking on their own street, largely as a result of the impact of development, the costs of permits, inconvenience to relatives and visitors and the general 'red tape' involved in accessing permits.

(iii) Discussion

The Panel understands the necessity for Council to have flexibility in managing parking permits and implementing parking restrictions in Moreland. The Panel is, however, concerned that the focus of the Amendment has centred largely on these issues and less on the substance of the Amendment itself.

The Panel notes that many of the opposing submissions related to the car parking plan to support the Amendment focus on the proposed parking restrictions and parking permits.

(iv) Conclusion

The Panel notes the confusion relating to parking permits. The submissions were not generally directly related to the content of the Amendment. Where issues directly relevant to the Amendment were raised, the Panel has commented under the relevant section (see Chapter 3).

4.4 Amenity and liveability issues

(i) Submissions

As outlined in sections 4.2 and 4.3 resident submitters were concerned with the impact of the proposed parking restrictions and permit requirements on their amenity. In concert with these concerns were comments about the visual impact of development, and their disbelief that new residents would not own vehicles. Submissions from residents in outer areas of the municipality suggested that public transport access was not as accessible as portrayed in the Amendment documents.

Submitters in favour of the Amendment suggested that the proposed parking changes would enhance the liveability of the area by minimising car usage. These submitters agreed with the Council view that such a step change would have many benefits, including environmental benefits.

(ii) Discussion

The Panel suggests that the perceptions of change at the local level will vary as evident from the submissions tabled. Whilst submitters' focus was strongly linked to the parking changes, numerous others referenced the negative impact on their lifestyle as a result of inconvenient access to parking in their street.

As noted in Chapter 3, the Panel is concerned that not enough is known about the potential impact of the proposed parking controls on spillover parking into residential areas and on the amenity of those areas. The amenity issues raised by submitters may or may not have substance. This underscores the need for further survey and modelling.

(iii) Conclusion

The Panel is unable to assess on the material before it whether the Amendment will have amenity impacts.

4.5 Public parking**(i) Submissions**

Twelve submissions sought Council investment in more public parking, particularly in Glenroy.

(ii) Discussion and conclusion

Council submitted no current plan for more public parking in Moreland, arguing that such a significant investment was not favoured as the priority was advocacy for improved public transport and better walking and cycling options.

This may be an issue that could be revisited when further research and modelling is available.

4.6 Consultation**(i) Background**

Council provided details of the processes leading to the development of the Amendment in Attachment 1 of its Hearing submission.

The consultation process commenced in December 2017, with consultation on the MITS to *“build community awareness and understand the community’s vision for the future of travel in Moreland”*.

A MITS background report led to a second period of consultation engaging approximately 1,200 people through mixed methods prior to formal consultation in July 2018 on the Draft Moreland Integrated Transport Strategy and Draft Parking Strategy. This next stage of consultation included 39,000 letters to owners and occupiers of directly affected properties resulting in approximately 800 submissions. 24 submitters were heard in October 2018 and the Strategy was formally adopted in March 2019. At that time Council updated the Parking Management Policy including new permit types, charges and processes. The Council also resolved to proceed with a request for a planning scheme amendment to change minimum requirements.

Exhibition of the Amendment occurred in September – November 2019 following authorisation by the Minister for Planning. 29,000 letters were sent to affected properties and there were four drop-in sessions. 236 submissions were received during the exhibition period, and a further 29 were received following the closing date.

In December 2019, following the exhibition period, Council’s CEO authorised changes to the Parking Management Policy.

Council considered submissions in December 2019 and resolved to proceed to refer the Amendment to Planning Panels Victoria.

Implementation of the first round of MITS parking restrictions for Brunswick West, Pascoe Vale and Hadfield Neighbourhood Centres were subsequently introduced.

The Panel notes that, subsequent to Council requesting a Panel and following the Directions Hearing in January 2020, further changes to parking restrictions and parking policy were rolled out. These are referenced earlier in this report as the February 2020 changes.

(ii) Evidence and submissions

Mr Coath gave evidence that Council had undertaken extensive consultation prior to the formal Amendment process and had fully met its statutory obligations for the Amendment itself.

(iii) Discussion and conclusion

Evident in many submissions is confusion about the relationship between the processes leading to the Amendment exhibition and the subsequent introduction of parking restrictions and permit arrangements. The Panel suggests that the juxtaposition of these changes by Council has clouded the consultation process about the Amendment.

The Panel acknowledges Council met its statutory consultation obligations in relation to the Amendment. That said, the relationship between the various strategic work undertaken and the development of the Amendment was not clear to many submitters who were confused and uncertain. This led to submissions that were primarily focussed on parking restrictions and permits rather than the Amendment.

4.7 Human rights charter

(i) Evidence and submissions

Council submitted that the *Charter of Human Rights and Responsibilities Act 2006 (Vic)* (the Charter) obligates Councils to not act incompatibly with a human right or fail to give proper consideration to a relevant human right in its decision making and this is actively acknowledged in Council's submission¹⁵.

Eleven submissions raised concerns that Council had not met its Charter obligations. Council submitted that a Human Rights Assessment had been undertaken which evaluated the proposed parking changes and that the recommendations had been fully implemented in the February 2020 amendments to parking restrictions adopted by Council and deferring the introduction of restrictions in Glenroy.

The Panel heard from submitters dissatisfied with the Council assessment arguing that it had been undertaken as an after-thought rather than integral to the Amendment process.

Mr Bosich (Submission 249), Merri Health (Submission 8), Ms Cirigliano and Ms Haganear (Submission 213), Ms Matthews Ward (Submission 21) and Ms Neale (Submission 267) expanded on these concerns at the Panel Hearing, outlining the lack of sensitivity to the diversity of special needs and lack of incentive for developments to cater for special needs populations more broadly.

¹⁵ Council Hearing submission p30

Mr Coath gave evidence that Council had included an appropriate assessment and accounted for accessibility issues. He noted that the provision of disabled parking is a requirement of the Building Code of Australia.

(ii) Discussion and conclusion

The fact that a number of objectors outlined detailed concerns is acknowledged by the Panel. The Panel is concerned that the human rights assessment was not undertaken until late in the process, but acknowledges that Council has strictly met its obligations in this regard.

Appendix A Submitters to the Amendment

No.	Submitter	No.	Submitter
1	Courtney and Alistair Vincent	135	Sharon Huebner
2	Lilian Wong	136	Debbie Hocking
3	Dr Samantha Balaton-Chrines	137	Wendy Kennedy
4	Steve Baraz	138	Tahlia Hays
4A	Steve Baraz	139	Chris Millinton
5	Georgia Bradford	140	Ronan Reid
6	Andrea and Daniel Seddon	141	Alex Glass
7	Andy Smith	142	Michael Precel
8	Paul Webb	143	Hazel McLeod
9	Dino Fornito	144	Daniel Jullian
10	Ben Ewald	145	Bettina Petith
11	Ashlee Cannon	146	Mic Looby
12	Tom Keeble	147	Mark Jacques
13	Vincent	148	Andy Fergus
14	Luciana Sera	149	Clare Land
15	Rosa Pantaleo	150	Alesha Younghusband
16	Paul Failla	151	Madeline Sewall
17	Marwa Khalaf	152	M V Roche
18	David Hall	153	Nazanin Moghaddam
19	John Williams	154	Sofia Sazonova
20	Nick Taylor	155	Shelley Van der Werff
21	Kathleen Matthews-Ward	156	Benjamin Van der Werff
22	Ben Osborn and Courtney McKay	157	Christopher Jewitt
23	Francesco Timpano	158	Byron Meyer
24	Michael Fox	159	Marta Figueiredo
25	Anna Boffa	160	L Fleming-Parsley
26	Lachlan McKenna	161	Sophie Clarke
27	John Milburn	162	Tara Wingate
28	Bianca Ludeman	163	Laura Van der Werff
29	Paul Agar	164	Chris Van der Werff
30	Matthew Cook	165	Hilary Jackman

No.	Submitter	No.	Submitter
31	Rebecca Clements	166	Fairley Batch
32	Simone Alesich	167	Reece Polimene
33	Sue Watt	168	Nick James
34	Beverley Goddard	169	Sophie Lucas
35	Sam Arena	170	Benji Trenkner
36	Adele Shelley	171	Jeph Neale
37	Clare Oates	172	Anna Duncan
38	Melissa Ross	173	Alfred Zerfas
39	Teresa Lee	174	Christopher A
40	Claire Weekley	175	Tim Foster
41	Derek Chandler	176	Fiona Armstrong
42	Carlo Carli	177	Lane Crockett
43	Emmanuel Mahlis*	178	Katherine Sundermann
44	Jos Tan	179	Elissa McMillan
45	Shannon Peach	180	Jessica Hill
46	Margaret Ludowyk	181	James Freijah
47	Laura Melady	182	Kanella Read
48	Noel Campbell	183	Peter Read
49	Alicia Walsh	184	???
50	Rosa Vizzini	185	Brunswick Neighbourhood House
51	Michelle Byrne	186	Liana Hoppe
52	Tamara Veltre	187	Donna Boyle
53	Yin Cheong Tse Chung Hoi	188	Brad Nguyen
54	Tenille Gilbert	189	Jeremy Wells
55	Mikayla Hickey	190	Enzo Carbone
56	Jeremy McLeod	191	Meredith Matthews
57	Peter Dimsey	192	Cassady O'Neill
58	Robert Dunn	193	Paul Kinny
59	Megan Swale	194	Benjamin Maher
60	Olga Kislica	195	Courtney Sutton
61	Joan Wilkinson	196	Angela Fotopoulos
62	Fayong Zheng and Yanhong Lu	197	Mersiha Julardzija
63	Le-Chi Pham	198	Cale O'Brien & K Mulik

No.	Submitter	No.	Submitter
64	Darren Stones	199	Nina Killham
65	Edward Chan	200	Alma Murica
66	Jenni Sayers	201	Saliha Julardzija
67	Donna Melia	202	Bajrama Hasimbegovic
68	Joe Caputo	203	Hido Hasimbegovic
69	Maria Z*	204	Zekijaveta Julardzija
70	Paul Anderson	205	Tim Lecky
71	Vikraman Selvaraja	206	Amela Murica
72	Amelia Eddy	207	Kathy and Tony Henderson
73	Gene Michener	208	Amy Stephenson
74	Mike & Linda Dahm	209	Jeanette Read
75	Orlagh Feeney	210	Joseph Chan
76	Melissa Iddles	211	Mia Paramashinta
77	Gene Michener	212	Mark Higginbotham
78	Mark Stranan	213	Vincent Care
79	Bronwyn Plarre	214	Lucy Battistel
80	Kevin Li	215	Graziella Cristiano
81	Meadhbh Bell	216	Teresa Cristiano
82	Jane Thomson	217	Caterina and Antonio Cristiano
83	Bernadette Thomson	218	Caterina and Antonio Cristiano
84	Brad Nguyen	219	Siobhan Hannan
85	Tatiana Roga	220	Ross Turnbull
86	Kim Jirik	221	Kristine Diyas Munaweera
87	Eva Quinn-Walters	222	Marion Attwater
88	Rosie Leverton	223	Xueqin Wang
89	Lachlan Evans-McKenzie	224	Cinnamon Evans
90	Emma Keith	225	Victoria Leavold
91	Callum McDonald	226	Katy Wellings
92	Sam Rankin	227	Helen Rowe
93	Janice Appleton	228	Nathan Chapman
94	Darren Appleton	229	Susan Leavold
95	Brenda Appleton	230	Megan Sarson
96	Brianna Laugher	231	Frank Demarco

No.	Submitter	No.	Submitter
97	Ellen Fraser	232	Disabled Motorists
98	Barbara Ciszewska	233	Department of Transport*
99	Name withheld	234	Hayley Kerr
100	Darren Spargo	235	Brunswick ALP Branch
101	Nathan Malin	236	Angela Palombo
102	Tara Ward	237	Lindy and Andrew Kingdom
103	Brad Wray	238	Warren Marshall
104	Ellie Farrell	239	Paul Grech
105	Mia Cornthwaite	240	David Marshall
106	Evelyn Recht	241	Jackson Wood
107	Nicola Cornthwaite	242	Tobin Richard
108	Kate Longley	243	Sharon Wing
109	Kegan Daly	244	Lidia Costa
110	S Hasan	245	Amy Guerin and Matthew Velluto
111	Dean O'Callaghan	246	Adam Kriekenbeek
112	Paul Arnold	247	Shannon Brooks
113	Clare Cousins	248	Peter Jeffs
114	Simon Pearce	249	Adrian Bosich
115	Tim Simpson	250	Yaser Yousry
116	Loc Tran	251	Eddie Carbonell
117	Sandra Simpson	252	Michael Williams
118	Ben Russell	253	Anna Caione
119	Jason Bassett	254	Laurence Balmer
120	Ben Taranto	255	John Baseggio
121	Patrick Kennedy	256	Scott Wasley
122	John Jacobs	257	Name withheld
123	Francesco Nuti	258	Yves Makhoul
124	Hilary Williams	259	Shea Evans
125	Dave Boughton	260	Rebecca Cercone
126	Kate Ryan	261	Hana Karas*
127	Jacqueline Nguyen	262	Yvonne Stolk
128	Sue Tan	263	Rick Milne
129	Kimberly Goh	264	Tamara Russell

No.	Submitter	No.	Submitter
130	Mikayla Hickey	265	Rebecca Vitartas
131	Samuel Cannock	266	Hayden Cattach
132	Janet Longley	267	Sue Neale
133	Catherine O'Shea		
134	Yin Li		*Denotes withdrawn submissions

Appendix B Parties to the Panel Hearing

Submitter	Represented by
Moreland City Council	Represented by Alexander Sheko, calling the following expert evidence: - Traffic from Chris Coath of GTA Consultants
Nightingale Housing	Jeremy McLeod
Adrian Bosich	
Yaser Yousry	
Eddie Carbonell	
Joseph A Caputo	
Vincent Care Victoria	Rosa Chirigliano and Christa Hagenauer
Merri Health	Carlo Carli, Shirley Jackson and Phil Harris
Kathleen Matthews-Ward	
Kate Ryan	
Marion Attwater	
Amela Murica	Mersiha Julardzija
Mersiha Julardzija	
Zekijaveta Julardzija	Mersiha Julardzija
Yves Makhoul	
Sue Neale	
Mark Higginbotham	
CERES Inc.	Rod Duncan

Appendix C Document list

No.	Date	Description	Provided by
1	24/02/2020	Council Part A and B submission	Mr Sheko
2	24/02/2020	Email response from Mr Sheko to DOT dated 28/22/2019	Mr Sheko
3	25/02/2020	Presentation by Mr A Bosich	Mr Bosich
4	25/02/2020	Presentation by Mr Y Yousry	Mr Yousry
5	25/02/2020	Presentation by Mr E Carbonell	Mr Carbonell
6	25/02/2020	Presentation by Mr J Caputo	Mr Caputo
7	25/02/2020	Email from Ms A Schrippa for Council clarifying parking restrictions adopted by Council on 12/02/2020	Mr Sheko
8	25/02/2020	Presentation by Mr C Carli and Mr Jackson for Merri Health	Mr Carli
9	25/02/2020	Presentation by Ms S Neale	Ms Neale
10	25/02/2020	Presentation by Ms M Attwater	Ms Attwater
11	25/02/2020	Presentation by Mr J McLeod for Nightingale Housing	Mr McLeod
12	25/02/2020	Presentation by Mr R Duncan for CERES Inc	Mr Duncan