
Report of the General Manager - 24 March 2015

ITEM 6.4 Free Car Parking Agreements

DELIVERY PROGRAM (2013-2017)

TA 6. Public parking will be accessible and actively managed.

AUTHOR City Planning and Environment

ISSUE

Council received a Report on 16 December 2014 to detail the proposals to enter the Agreements with the shopping centres to monitor and manage car parking, and this Report details the exhibition process since that time.

The second matter within this Report relates to the proposal to classify land at the Chullora Marketplace shopping centre, to better manage car parking on their site, similar to the above mentioned sites.

RECOMMENDATION That –

1. Council adopt the classification of the following sites as operational land in accordance with s.650 of the Local Government Act, only for the purposes of allowing a Free Car Parking Agreement for:
 - a. No. 1 North Terrace, Bankstown (Centro Shopping Centre);
 - b. No. 37 Rickard Rd, Bankstown (McDonalds);
 - c. No 1 Leicester St, Chester Hill (Chester Square Shopping Centre),
 - d. No. 60 Marco Ave, Revesby (Woolworths Revesby), and
 - e. No. 99 North Tce, Bankstown (Compass Centre).
2. Council approve entering into a free parking agreement as per Section 650 (6) of the Local Government Act, with the following shopping centres: Federation Centres, McDonalds Bankstown, Compass Centre, Chester Square Shopping Centre and Revesby Woolworths, as per the terms detailed in this Report.
3. Council delegate to the General Manager authority to finalise and sign all parking agreements.
4. Council publicly exhibit the proposal to classify 355 Waterloo Rd, Greenacre (Chullora Marketplace) as operational land in accordance with s650 of the Local Government Act, only for the purposes of allowing a Free Parking Agreement, and
5. Council receive a further report on the exhibition.

BACKGROUND

The Council Report on 16 December 2014 detailed the proposal to re-enter Free Parking Agreements with a number of shopping centres across the City to better monitor and manage their car parks. At the meeting Council resolved to:

publicly exhibit the proposal to classify the following sites as operational land in accordance with s.650 of the Local Government Act, only for the purposes of allowing a Free Car Parking Agreement for:

- a. No. 1 North Terrace, Bankstown (Centro Shopping Centre);
- b. No. 37 Rickard Rd, Bankstown (McDonalds);
- c. No 1 Leicester St, Chester Hill (Chester Square Shopping Centre),
- d. No. 60 Marco Ave, Revesby (Woolworths Revesby), and
- e. No. 99 North Tce, Bankstown (Compass Centre).

This report outlines the outcomes of this exhibition.

REPORT

Exhibition

The exhibition of the proposed reclassification was undertaken from Tuesday 20 January to Thursday 19 February 2015 (31 days). Public Notification occurred via Council's website and online community forum (Have Your Say) as well as in both of the local newspapers (20 & 21 January 2015).

During the public exhibition period, Council received only one (1) submission, via the website. This submission acknowledged the difficulties in finding parking (at Federation Centres – Bankstown), and asked that Council investigate a Paid Parking scheme, with a possible 3hr initial free period, similar to that at the Bankstown SportsClub.

Council acknowledges that any paid parking scheme is the responsibility of the landowner and not determined by Council. As a result it is not included in any part of the Council proposal to manage parking on these sites.

As there were no other submissions it is recommended that these sites be classified as operational land (for purposes of allowing a Free Parking Agreement) and that the parking agreements be finalised with the shopping centres.

Chullora Marketplace shopping centre

Council has previously signed an Agreement with Chullora Marketplace to manage car parking on their site. Reasons for entering into an agreement with Chullora Marketplace are similar to the other shopping centres, where parking illegally or contrary to signage was causing impacts on the local streets and amenity.

Since the Report in December 2014, it has come to Council's attention that the land on which Chullora Marketplace shopping centre resides is still operational land therefore it needs to be reclassified as community land similar to the other sites mentioned in this report.

Therefore it is proposed to place on exhibition the reclassification of 355 Waterloo Rd, Greenacre (Chullora Marketplace) as operational land in accordance with s650

of the Local Government Act, only for the purposes of allowing a Free Parking Agreement. A further report back to Council will be provided at the end of the process.

Next Steps

Now that Council has completed the public exhibition process for five (5) of the six (6) sites, Council is required to formally adopt that the land be classified as Operational Land for the purposes of entering into a Free Parking Agreement.

Once Council has completed this process, Agreements with each of the parties mentioned in this Report can be entered into. It is proposed that each Agreement be for a period of five (5) years, and for them all to end on the same date, being the end of a financial year, which enables Council to better manage these types of Agreements in the future. It is also recommended that each party be given the opportunity of having a five (5) year option on the initial period.

Council will receive a further report on the Chullora Marketplace site, once exhibition is complete.

POLICY IMPACT

The proposal to enter into Free Parking Agreements is consistent with the requirements set out under the Local Government Act (s.650) and the *Director General's Free Parking Area Agreement Guidelines (1998)*. It also aligns with the Bankstown CBD Car Parking Strategy (2009), which acknowledges that Council may enter into such Agreements to better manage car parking.

FINANCIAL IMPACT OF RECOMMENDATIONS

All costs associated with manufacturing of any signage will be borne by the land owners before Council will commence regulatory services on that site.

Council will provide the necessary staff to undertake the patrolling of the mentioned sites, however this cost will be offset by any PIN's issued for violation of parking restrictions, as detailed under the LG Act.

RECOMMENDATION That –

1. Council adopt the classification of the following sites as operational land in accordance with s.650 of the Local Government Act, only for the purposes of allowing a Free Car Parking Agreement for:
 - a. No. 1 North Terrace, Bankstown (Centro Shopping Centre);
 - b. No. 37 Rickard Rd, Bankstown (McDonalds);
 - c. No 1 Leicester St, Chester Hill (Chester Square Shopping Centre),
 - d. No. 60 Marco Ave, Revesby (Woolworths Revesby), and
 - e. No. 99 North Tce, Bankstown (Compass Centre).
2. Council approve entering into a free parking agreement as per Section 650 (6) of the Local Government Act, with the following shopping centres: Federation Centres, McDonalds Bankstown, Compass Centre, Chester Square Shopping Centre and Revesby Woolworths, as per the terms detailed in this Report.

3. Council delegate to the General Manager authority to finalise and sign all parking agreements.
4. Council publicly exhibit the proposal to classify 355 Waterloo Rd, Greenacre (Chullora Marketplace) as operational land in accordance with s650 of the Local Government Act, only for the purposes of allowing a Free Parking Agreement, and
5. Council receive a further report on the exhibition.

ATTACHMENTS

- A. Council Report (Item 6.3) of 16 Dec 2014
- B. Classification Map - Chullora Marketplace Shopping Centre



Report of the General Manager - 16 December 2014

ITEM 6.3 **Free Car Parking Agreements**

**DELIVERY
PROGRAM
(2013-2017)**

TA 6. Public parking will be accessible and actively managed.

AUTHOR **City Planning and Environment**

ISSUE

Council has been approached by a number of shopping centres, including: Federation Centres – Bankstown (commonly known as Centro Shopping Centre), McDonalds Bankstown CBD, Compass Centre, Chester Square Shopping Centre and Woolworths Revesby to re-enter Agreements to monitor and manage car parking within their car parks. Council has previously been the managing authority for many of these car parks. This report confirms Council's position in negotiating new Agreements with these parties.

RECOMMENDATION **That –**

1. Council publicly exhibit the proposal to classify the following sites as operational land in accordance with s.650 of the Local Government Act, only for the purposes of allowing a Free Car Parking Agreement for:
 - a. No. 1 North Terrace, Bankstown (Centro Shopping Centre);
 - b. No. 37 Rickard Rd, Bankstown (McDonalds);
 - c. No 1 Leicester St, Chester Hill (Chester Square Shopping Centre),
 - d. No. 60 Marco Ave, Revesby (Woolworths Revesby), and
 - e. No. 99 North Tce, Bankstown (Compass Centre).
2. A further report be submitted to Council at the conclusion of the exhibition period.

EXECUTIVE SUMMARY

Council has been approached by Centro Shopping Centre, McDonalds Bankstown CBD, Chester Square Shopping Centre, Woolworths Revesby, and also Compass Centre Site (99 North Tce, Bankstown) to manage car parking within their car parks. Council has in recent years been the managing authority for four (4) of these five (5) car parks, however all Agreements have expired.

It is also noted that Council currently has a Free Car Parking Agreement with Chullora Marketplace, and previously had a Free Car Parking Agreement with Palm Court Shopping Centre in Revesby.

BACKGROUND

Council was approached by Centro Bankstown in 2008 to enter negotiations to extend Council's regulatory services to monitor and manage their car parking, due to significant issues with no-compliance with signage, time-limits, no-stopping zones, and also loading zone parking. Their site has over 3,200 free car parking spaces, with six (6) loading zones, and servicing over 365 shops.

Centro has no authorised delegation to enforce offending vehicles when obstructing regulated loading zones, misuse of disability parking or parking contrary to warning signage. Centro also expressed concern over the number of rail commuters utilising parking areas on the southern side of the centre, which reduced shopper car parking.

Council in 2009 adopted its Bankstown CBD Car Parking Strategy, where it was detailed that Council would take up opportunities to better manage car parking within the city centre on both public and private land. One of the key directions of this Strategy was to negotiate an Agreement between Centro Bankstown and Council, to extend the regulatory services to their site.

Following the adoption of the CBD Car Parking Strategy, Council entered into an Agreement with Centro Bankstown in January 2011. This three (3) year Agreement expired in January 2014, with Council being in discussions since that time.

Council has in recent years also had Agreements with the three (3) other parties, and these Agreements have also expired. Acknowledging the improvements to car parking management whilst Council was managing the sites, these parties have again approached Council to re-enter the Agreements.

REPORT

For Council to re-enter Free Car Parking Agreements with the five (5) parties, Council must ensure it follows the *Director General's Free Parking Area Agreement Guidelines (1998)*. Council must also ensure that the provisions of s.650 of the Local Government Act (LGA) are followed. Some of the Guideline requirements include:

- The Council identifying that there is a genuine need, from a public policy perspective, to assist the landowner in deterring vehicle related problems, via the conclusion of the proposed free car parking area agreement submitted by the landowner;
- The landowners understanding that the Council will take control of the land and make it available for parking by the public free of charge, and the landowner agreement to this occurring;
- That all signage must be compliant with relevant sections of the Act;
- That the list of matters identified in the Guidelines are addressed; and
- The classification of any land within an Agreement, is to be classified as 'Operational Land' (under s.34 of the LGA).

A summary of the management period activity of Centro Shopping Centre, has noted that Council issued over 9,000 Penalty Infringement Notices (PIN's), covering overstay of time, loading zone penalties, and disability space violations.

It is considered that the public benefits of re-entering Agreements with all four (4) parties remains, as well as with the Compass Centre, and there is a genuine need to assist the land owners in managing parking on their sites. Such efficiencies, ensure appropriate turnover of vehicles, providing greater opportunities for residents and visitors to do business and shop in the City of Bankstown.

As part of the proposal by Centro to re-enter negotiations for an Agreement, it has been proposed to including staff parking areas. It has also been requested that the areas to be managed be expanded from the original agreement. Council's discussions to date with the other parties has also resulted in recommended improvements to the way parking is managed on their sites, and also requests for signage improvements.

A further request has been received from the Compass Centre Site (99 North Tce, Bankstown). As this site is within the same precinct as Centro, and core to the Bankstown CBD, it is recommended that Council should manage this site in a similar manner to that of other centres.

For this to occur Council will need to undertake an assessment of all areas to be managed on each site, and identify any new signage required to ensure compliance with parking regulations. Any new signage required, will be manufactured by Council, however all costs associated with the manufacturing and installation will be fully borne by each party, before Council will commence monitoring.

As part of monitoring, Council will manage these sites in a similar manner to that of its existing street network and other town and village centre program. There are no proposals to increase staff numbers to undertake this program, and compliance will be at Council's discretion.

Legislative Requirements

As part of any Agreement, Council must ensure that the land is classified as 'Operational Land' as set out in the relevant sections of the Local Government Act, specifically s34 of the Act. Although Council does not own the land to be patrolled, Council will only have control for the purposes of car parking enforcements and the land needs to be classified as 'Operational Land'. The classification of the land does not affect the landowners proprietary or other rights in relation to the ownership and interest in the land, and the classification in no way confers any interest in the land on the Council. Upon the Agreements being terminated, that land reverts back to the classification immediately prior to the Agreement, unless a further Agreement is entered into. Council cannot delegate authority to the General Manager for the reclassification of the land, and the process must be in line with the relevant sections of the LGA.

To ensure that Council is able to enter into these Agreements public exhibition will occur for no less than 28 days. Upon completion of this process, a further report will be brought to Council on the outcomes of the exhibition and next steps, as required under the LGA.

As part of any new Agreements that Council enters into, it is also recommended that Council aim to have the expiry date of any Agreement to align with the end of any financial year, to provide consistency and simplicity to the way all Agreements are managed in the near future.

FINANCIAL IMPACT

There will be a financial impact to Council of staff time to undertake the necessary assessment of existing conditions at each of the sites to ascertain any requirements for new signage. All costs associated with manufacture and installation will be borne by the land owner before Council will commence regulatory services on that site.

Council will provide the necessary staff to undertake the patrolling of the mentioned sites, however this cost will be offset by any PIN's issued for violations of parking restrictions, as detailed under the LG Act.

POLICY IMPACT

Council entering into the Free Car Parking Agreements aligns with Council Policy, as detailed in its adopted Bankstown CBD Strategy (2009), where it was specifically noted that Council would provide improved parking across the CBD.

CONCLUSION

It is recommended that Council enter into Agreements with the five parties identified in this Report, to better manage car parking across the CBD, and provide benefits back to the whole community by ensuring appropriate car parking availability for residents and visitors to live and work in the city.

RECOMMENDATION That –

1. Council publicly exhibit the proposal to classify the following sites as operational land in accordance with s.650 of the Local Government Act, only for the purposes of allowing a Free Car Parking Agreement for:
 - a. No. 1 North Terrace, Bankstown (Centro Shopping Centre);
 - b. No. 37 Rickard Rd, Bankstown (McDonalds);
 - c. No 1 Leicester St, Chester Hill (Chester Square Shopping Centre),
 - d. No. 60 Marco Ave, Revesby (Woolworths Revesby), and
 - e. No. 99 North Tce, Bankstown (Compass Centre).
2. A further report be submitted to Council at the conclusion of the exhibition period.

ATTACHMENTS

- A. Locational Maps of Sites to be Classified as Operational Land

**ATTACHMENT A: LOCATIONAL MAPS FOR SITES TO BE CLASSIFIED
AS OPERATIONAL LAND**

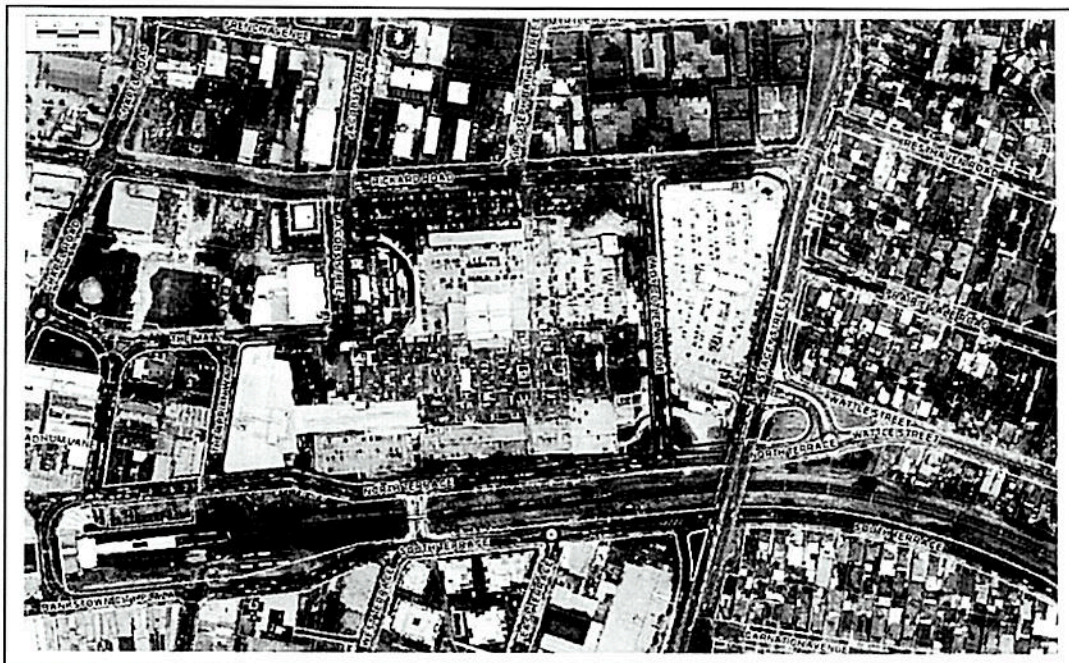


Figure 1: Centro Shopping Centre



Figure 2: McDonalds Restaurant



Figure 5: Compass Centre

