

Best Practice Onsite Carshare Permit Conditions

Many Councils across Australia are turning to carshare as a solution for combatting parking oversupply in new and existing developments in their municipalities. Despite their best intentions, not all Development Approval (DA) conditions result in the best outcomes for the project's residents and, by extension, the local community. Poor DA conditions have resulted in unused carshare parking spaces rather than providing the amenity of carshare and the associated benefits that reduced car ownership/use brings. Poorly-worded DA conditions leave council without visibility or strong enforcement options.

Example of a poor DA condition:

(33) CAR SHARE BAYS

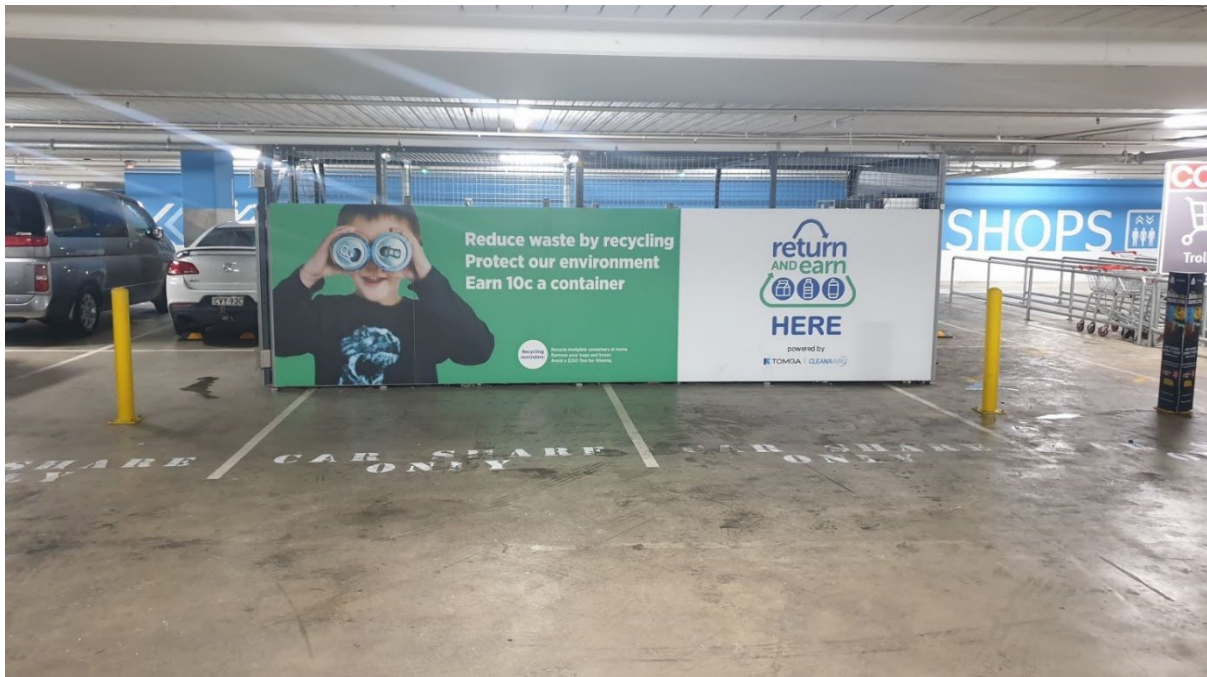
- (a) A minimum of ~~20~~ 15 car share parking spaces are to be made available to members of the public and residents and available at all times.
- (b) The spaces shall be located together in convenient location/s within the car parking for non-residential uses and are to be used exclusively for car share.
- (c) Prior to the issue of a Stage 2A Construction Certificate, details are to be submitted for the approval of Council showing the finalised location of the car share spaces.
- (d) Prior to the issue of an Occupation Certificate for Stage 2A, details are to be provided for the approval of Council demonstrating:
 - (i) how the car share scheme will be operated and managed, including the details of the car share provider; and
 - (ii) how access will be provided to the car park for car share users.
- (e) Note: The car share spaces are to be available at the same time that the public car park commences operation.

(As modified by [REDACTED])

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This condition appears to be sufficient, however, by outlining the requirement of "car share parking spaces" as opposed to a "carshare operation" the developer has the potential to fulfill the requirements of the DA condition by merely installing parking spaces without an actual onsite carshare service.

Outcome: The spaces in question are used for a number of purposes other than a viable carsharing service (e.g. visitor parking, 'return and earn' facility).



Recommendation: Addition of "Carshare Operation" removes ambiguity and improves the standard of outcome, ideally this encourages the developer/planner to engage a Carshare Service Provider (CSP) at an earlier point in the development timeline to ensure all parties are satisfied with the integration.

Example of more preferable DA conditions:

Inner West example

144 The use and operation of the car share spaces must be managed by the owner or contracted by the owner to a car share operator to the satisfaction of Council. The use and operation of the car share space must be accommodated in the titling and management of the Residential Development, including covenants, building or strata management statement, by laws and other instruments before the issue of an Occupation Certificate, and must provide for:

- (a) Free use of the car share space;
- (b) The car share vehicle shall be a small car as defined by AS2890.1:2004;
- (c) Public access at all times to the car share vehicle; and
- (d) Insurances, including public liability.

Reason: To ensure the provision of and legal access to the designated off-street car parking space for car share use.

Adding a timeline to the requirement of an operation agreement being in place (e.g., prior to Occupation Certificate) further improves the outcome. This wording will at least ensure the building has an operational carshare service onsite from the day that residents move in. Again, this hopefully encourages developers to engage CSPs at an early stage to ensure that occupation is not delayed.

Ryde Example

160. **Car Share Provider.** The submission of documentary evidence to Council that an agreement with a car-share provider has been entered into for the seven (7) car share spaces on site, prior to the issue of any **Occupation Certificate**.

201. **Car Share Parking.** To maintain, facilitate and encourage the use of the car share scheme implemented in the development, the following requirements are to be maintained for the ongoing serviceable life of the development;
- All car share spaces must be publicly accessible 7 days of the week, 24 hours of the day.
 - Carshare parking spaces must be clearly designated and linemarked in the development.

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Conditions of Consent for [REDACTED] :-

- Must be retained as Common Property by any future strata subdivision of the development lot.

Ideal Condition

Ideally the Carshare requirement should be in place before issuing of the construction certificate to ensure carshare is well designed and implemented into the project. Utilization of the carshare spaces should also be reported to Council in accordance with Council's on-street network reporting requirements to ensure council has on going visibility of the service. Ideally onsite carshare would be scalable with demand, with the spaces used for visitor parked when not needed for carshare, this will allow buildings to be more resilient to meet future demand.

Example of Ideal Condition

1. XX spaces are to be reserved for carshare operation with no charge to the carshare operator to use them
2. These spaces must be available to all members of the carshare scheme 24/7 and should be well-lit with safe pedestrian access
3. These spaces must be contracted to an operator (a CSP that has been approved by the Responsible Authority) with evidence of agreement submitted to Council prior to issuing of the Construction Certificate
 - a. The agreement must ensure appropriate insurance and vehicle maintenance is in place including public liability.
4. The carshare operation must be in place within XX weeks of issue of the Occupation Certificate
5. The carshare operator must report utilization of the spaces to council quarterly (or in accordance with Council's on-street reporting requirements)
6. Council may audit the operation at any time, and if breach is discovered, Council may issue a defect notice (or monthly fine until rectified) to subsidise the local transport network

Optional Extras

- Strata Managers are to enter an agreement with an operator to ensure all future residents have access to free membership for XX years
- In the interest of future-proofing the parking infrastructure it is recommended that sufficient cellular connectivity is available at the location of the carshare spaces (also an important aspect for safety reasons) as well as providing the requisite infrastructure (e.g. conduits, wiring, adequately sized power supply and metering cabinet) so that EV chargers can be readily provided when demand necessitates

For further information please contact GoGet's Carshare Strategic Planner –

Darcy Lechte

p: 0427 713 623

e: darcy@goget.com.au