



Procedure:

**Car Share
Implementation**

2018

INFORMATION ABOUT THIS DOCUMENT

Date Endorsed by General Manager		Document Reference Number for Endorsement	
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Document History

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E2018/60947	06/08/2018	Preliminary Draft
E2018/60947	22/8/2018	Endorsed by ET - I2018/1445. References to Draft removed.

Further Document Information and Relationships

List here the related strategies, procedures, references, policy or other documents that have a bearing on this Procedure and that may be useful reference material for users of this Procedure.

Related Legislation*	
Related Policies	
Related Procedures/ Protocols, Statements, documents	

**Note: Any reference to Legislation will be updated in the Procedure as required. See website <http://www.legislation.nsw.gov.au/> for current Acts, Regulations and Environmental Planning Instruments.*

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1 Objective

Byron Shire Council aims to implement a 12 month pilot project whereby a car share scheme is implemented to test the market and feasibility.

The objective of this procedure is to outline various aspects of the procedure for implementing car sharing Pilot in the Byron Shire, including the:

- a. criteria for selecting the locations of car share bays;
- b. application process for car share operators;
- c. process for increasing number of car share bays and vehicles;
- d. process for decreasing or retracting car share bays;
- e. process for enforcement; and
- f. rationale for the car share fees and charges.

2 Scope

This procedure applies to:

- a. Locations in the Shire that are considered suitable to encourage the up-take of car sharing and respond to increased demand for additional car share spaces, subject to review of this procedure; and
- b. Commercial car share operators.

Peer-to-peer car share schemes are excluded from this procedure. This procedure does not apply to any agreement between Car Share providers and a third party entered into for the purposes of providing a car share vehicle within privately owned property.

3 Definitions

Policy	a governing principle which declares Council's intent.
Procedure	a document that sets out processes and actions
Car share scheme	means a scheme in which a body corporate, an unincorporated body or a public authority owns or manages and maintains vehicles for shared or communal use and hires those vehicles exclusively to members of the scheme for occasional use for short periods of time, on demand and on a pay-as-you go basis.
On-street car share bay	refers to the dedicated parking spaces located on local and arterial roads, which are occupied by a vehicle provided and managed by the respective car share operator.
Off-street car share bay	refers to parking spaces in off-street car parks, residential or commercial buildings or properties.
Peer to Peer car share	refers to a mode of car sharing whereby a car is leased from one individual to another.

4 Actions

Action	Responsibility
4.1 Car Share Bay Location Criteria	<ul style="list-style-type: none"> • Strategic Planning Officers • Infrastructure Services Officers
4.2 Car Share Operator Eligibility Criteria	<ul style="list-style-type: none"> • Strategic Planning Officers
4.3 Car Share Operator Obligations	<ul style="list-style-type: none"> • Strategic Planning Officers
4.4 Council Obligations	<ul style="list-style-type: none"> • Strategic Planning Officers • Works Team • Parking Enforcement Team
4.5 Application Process	<ul style="list-style-type: none"> • Strategic Planning Officers
4.6 Enforcement Process	<ul style="list-style-type: none"> • Customer Service • Parking Enforcement Team
4.7 Fees and Charges	<ul style="list-style-type: none"> • Business Improvement Officer • Strategic Planning Officers

4.1 Car Share Bay Locational Criteria

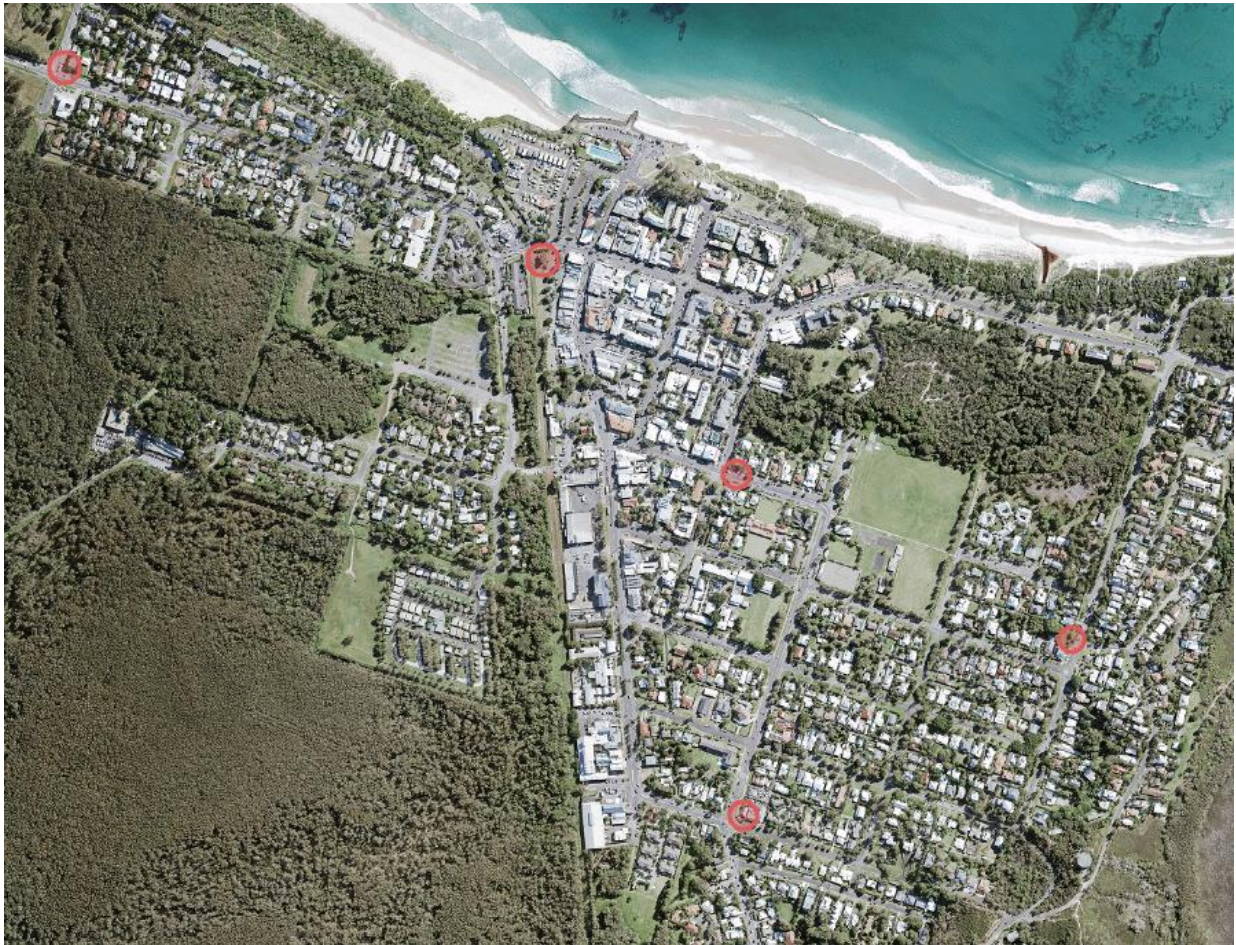
Council recognises that, in order for car sharing to be a viable travel choice for the community, a sufficient and well located network of car share bays and vehicles needs to be established.

Discussions with the industry suggest that a minimum of 10 car share bays are required.

Council will designate a minimum of 10 car share bays for the commencement of the pilot (both on and off-street). Possible expansion will be based upon market demand during this pilot or upon revision of the policy after the 12 month period.

The proposed and approximated distribution of car share vehicles across the Shire for the commencement of the pilot is shown in Figure 1. Exact provision of car share bays will be determined in accordance with car share operators and Council staff.

Figure 1: Identified Suitable Locations for Car Share Bays on Council Land



Upon leasing of a car parking space, Council will designate the space as an exclusive car share bay – see *action 4.4*. Car share bays can be either on-street or off-street in Council-owned car parks.

Council officers will follow the criteria outlined in Table 1 when assessing applications and/or determining ideal placement of car share bays and thus vehicles to maximise the vehicle use.

Council reserves the right to increase the targets and designated bays upon a 6 month review of the pilot programme. Any increase in car share bays (and cars) will be based on the levels of car share utilisation, membership numbers per vehicle, and other trends in data provided to Council supplied by the Car Share operators.

Council reserves the right to take back or remove bays at any time if necessary and will give the car share operator a minimum of **one month's notice** in writing should the situation arise. Council will attempt to relocate the car share bay in question at no cost to the car share operator.

Table 1: Criteria for Selecting Location and Quantity of Car Share Bays and Vehicle

Criteria	Action
Location	
<i>To ensure priority – in accordance with the parking hierarchy</i>	<ul style="list-style-type: none"> Follow the hierarchy of parking need in determining the location – see Figure 2.
<i>Convenience</i>	Car Share bays should be outside or nearby: <ul style="list-style-type: none"> key residential areas or commercial properties activity/ community hubs within residential areas areas of high employment areas of low vehicle ownership any public transport stops
<i>Visibility</i>	<ul style="list-style-type: none"> ideally at the beginning or end of a row of parking for best visibility areas of high pedestrian traffic
<i>Safety and Mobility</i>	<ul style="list-style-type: none"> orientated so it does not block sightlines from access ways, crossovers or pedestrian crossing points (formal and informal) provides clearances from service covers, drainage pits and conduits ensure designation of car share bays do not interfere with or prevent disability access - such as dropped kerbs, circulation space next to disabled parking spaces and bus stops ensure minimum setback from vehicle crossovers and intersections is maintained
Number of Bays	<ul style="list-style-type: none"> minimum of 10 car share bays for the initiation of the pilot, bays should be dispersed around the town/Shire and not 'clumped' together a minimum of two car share bays should be situated together, for member reliability on the service or, bays to be within 300m of each other for 'coverage'
Vehicle Choice	<ul style="list-style-type: none"> vehicle must reflect the ground floor use of adjacent buildings and surrounding streetscape to ensure it does not obscure or be out of scale within the locations context the use of the car and the likely users should be considered upon deciding the car (sedan, van, roof racks etc.)

Figure 2: Hierarchy of Parking Need



4.2 Eligibility Criteria for Car Share Operators

Car Share operators who apply to lease car share bays in the Shire must:

- a. Have, or be developing, a fleet of cars in locations that are accessible to all members;
- b. Ensure there is a range of vehicles based on local need, noting that caravans, box trailers and vehicles over 4.5 tonnes gross are prohibited;
- c. Ensure passenger vehicles have average emissions of 150 grams per kilometre, and commercial vehicles have average emissions of 240 grams per kilometre or demonstrate that the vehicle is a high environmental performer for its class. Inclusions of hybrid and/or electric vehicles within the fleet will be looked upon favourably;
- d. Ensure the car share operator's branding is visible on the vehicles and not allow for third party advertising to be placed on car share vehicles, unless by prior written agreement from Council is provided;
- e. Ensure car share vehicles are available for car share members only;
- f. Supply an internet and phone based booking system available to members 24 hours per day, seven days a week, and allow immediate booking of vehicles;
- g. Offer booking durations of one hour or less;
- h. Ensure that no on-street car share bay remains empty for a period greater than three consecutive days, unless by prior written agreement;
- i. Have and show documentation (certificate of currency) of current public liability insurance policy;

- j. Confirm in writing their acceptance of the obligations set out in this Procedure; and
- k. Be capable of demonstrating they comply with the obligations set out in 4.3 of this procedure.

4.3 Obligations of Car Share Operators

Operators must meet the obligations set out below:

Promotion

Car share operators are solely responsible for the promotion of their service to prospective and existing members. Council will continue to promote the concept of car sharing as a travel choice.

Car Share Bays and Vehicles

- a. Provide a draft of the signage material to Council for authorisation, prior to its installation. Signage, line marking and general maintenance of the bays must be maintained;
- b. Ensure that no existing or approved structures, fixtures or fittings are altered or added to without written approval of Byron Shire Council;
- c. Car share operators must acquaint themselves with upcoming road closures due to special events (NYE) or other purposes and make arrangements to remove or relocate vehicles during that time;
- d. Car share operators must ensure that a current Council Authorised Car Share Vehicle Permit or temporary Letter of Authorisation is obtained and displayed on each vehicle at all times. This permit identifies an authorised car share vehicle and authorises the car to park in its delegated parking space.

Enforcement

- a. Car share operators must adhere to, and inform their members of, the enforcement procedure set out in action 4.6, should a car share bay be illegally occupied by a non-car share vehicle;
- b. Car Share members must adhere to parking rules outside of designated bays.

Reporting

- a. Car share operators must provide an accurate and detailed monthly usage and membership report for vehicles in every allocated car share bay. The report must include, at a minimum, the number of members by postcode and suburb, total number and duration of bookings per vehicle, total trip distance per vehicle, the total number of hours the vehicle is available each month and the average emissions of passenger vehicle fleet.
- b. In addition to the above reports, car share operators agree that Council can request a report at any time on the usage characteristics of any one bay if required.
- c. Car share operators must submit to an independent audit of monthly reporting and usage data if required by Council.
- d. Car share operators must, upon request, demonstrate to the satisfaction of Council that the operator is financially sound, and capable of meeting obligations to Council and members.

Suspension / Termination

- a. Council reserves the right to terminate, or suspend the car share operator's right to use one or more of the allocated bays on the giving of 7 days notice in writing if the Care Share Operator has failed to meet the obligations laid out by this procedure;
- b. Council also reserves the right to relocate bays if deemed necessary;
- c. Council reserves the right to take back or remove bays at any time on the giving of one month's notice in writing;
- d. A Car Share Operator can retract a vehicle(s) from operation on the giving of 30 days notice to Council in writing.

4.4 Obligations of Council

- a. Assess applications;
- b. Consult with both residents and businesses immediately adjacent to proposed bay locations to ascertain whether they have any legitimate concerns or objections;
- c. Issue car share operators with permits where deemed appropriate;
- d. Monitor reports;
- e. Install and keep updated a map of car share bays within the shire on Council's website;
- f. Inform the parking enforcement team of all car share bays as they are released or removed;
- g. Conduct a review of the trial at the end of the 12 month pilot

4.5 Application Process

Car Share Operator(s) will be chosen following an application process. Car Share Operator(s) will be selected in accordance with this procedure.

- a. Car Share operators are to apply for the establishment and lease of car share bay(s), as per the application process in **Attachment 1**, using the Application Form - see **Attachment 2**;
- b. Council will assess and approve applications from car share operators in accordance with the criteria in *4.2 Eligibility of Car Share Operators* and this procedure, including feedback from adjoining residents and businesses;
- c. Approved car share operator(s) will then enter into an agreement with Council and agree to the obligations in this procedure;
- d. Council will make it publicly known when applications open;
- e. Council reserve the right to refuse any application at its absolute discretion.

4.6 Enforcement Process

Demand for on-street parking around the Shire, particularly in the Byron Bay Town Centre is high. The following procedure should be adhered to in the case that a car share bay becomes illegally occupied by a non-car share vehicle.

Step 1: Car share operator is notified of an illegally parked vehicle

Members must immediately inform the car share operator if a non-car share vehicle is parking in the car share bay and provide them with the offending vehicle's registration details.

Members should then park the car share vehicle legally, as close as possible to its designated bay, observing clearways, disabled bays and timed restrictions (i.e loading zones), and inform the car share operator of its whereabouts. If the vehicle was meant to be located within a private car park, the vehicle should be kept within the same private car park if possible. If the vehicle is parked in a paid parking space within the Byron Shire, it will only be exempt from the paid parking charges if this procedure is followed in full.

Step 2: Council is notified of an illegally parked vehicle

The car share operator is to notify Council's Parking Enforcement team within 1 hour of being notified, and provide them with the location of the offending vehicle and its registration details as well as the location of where the car share vehicle was parked.

Step 3: Infringement of illegally parked vehicle

Council's parking enforcement team will respond to requests to infringe illegally parked vehicles. Council must notify the car share operator when infringement notice has been given.

Step 4: Returning the car share vehicle to the car share bay

The car share operator's representative must check as soon as possible and no longer than 12 hours of notification by Council, to see if the illegally parked vehicle has moved from the car share bay. Once empty, the car share operator is to ensure that the car share vehicle is returned to the car share bay.

4.7 Fees and Charges

An application to lease public car share bays will attract the following fees:

- a. an application fee of \$440 per application, and
- b. a permit fee of \$110 per space per year, if approved.

The car share operator is responsible for the costs relating to the erection of signage, line marking and on-going maintenance

ATTACHMENT 1

Application Process for New On-Street Car Share Bays

Eligible Car Share Operators must follow the process outlined below to apply for new bays. Car share operators deemed eligible are those that meet the requirements of section 6. of Byron Shire's Car Share Policy.

Step One: The car share operator must complete the designated application form and submit it to Council before the advertised deadline.

Step Two: Council will assess the application and the suitability of any additional/alternative proposed car share bay locations.

If required, Council will undertake consultation with properties immediately adjacent to any newly proposed car share bays.

Where a proposed location is deemed unsuitable or where the consultation is unsuccessful, an effort will be made to find an alternative location for the bay nearby.

Council will notify all applicants of the outcome of their application. If approved, Council will publish the outcome.

Step Three: An invoice will be issued to the car share operator payable within 30 days by electronic funds transfer. If payment is not received in 30 days, the allocation of the bay will be cancelled.

The permit fee of \$110 each year will be payable per space and a new invoice will be issued to the Car Share Operator in advance.

Step Four: Once payment has been received, the Car Share Operator must confirm signage with Council prior to it's installation and receive Council authorisation.

Step Five: Once the bays have been installed the Car Share Operator may begin their service.



ATTACHMENT 2

Application Form

Applications must be lodged with Byron Shire Council (Council) via email by XX of XX 2018. Council reserves the right to refuse any incomplete applications, or ask for further information where required. By submitting an application, the Applicant agrees to comply with the criteria and obligations of the Byron Shire Car Share Policy.

All enquiries relating to the application should be directed to Council at jamie.vaniersel@byron.nsw.gov.au or (02) 6626 7283.

1. Applicants Details	
Company Name:	
Company Address:	
ABN:	
Contact Person:	
Phone Number:	
Email:	
2. Car Share Bay Location(s)	
Please tick all the locations you wish to apply for	
Bay 1: street address inserted here	
Bay 2: street address	
Bay 3: street address	
Bay 4: street address	
Bay 5: street address	
Bay 6: street address	
Bay 7: street address	
Bay 8: street address	
Bay 9: street address	
Bay 10: Street address	
Please list here any additional/alternative car share bays you would like to apply for. Request for additional and/or alternative car share bays should be done so in accordance with the location criteria outlined in Policy Provision 5 of Council's Car Share Policy. Based on the information provided in the application, Council will determine the suitability of the proposed car share bay location and will undertake consultation if required.	



Council may in its discretion reject any proposed locations.		
Additional/Alternative Bay 1	Street address:	
	Aerial view of showing location of proposed bay:	
	Street view clearly showing proposed bay:	
	Existing parking restrictions at the proposed bay location:	
	Proximity to the nearest car share vehicle:	
Additional/Alternative Bay 2 (If more locations are requested, please attach additional pages as required)	Street address:	
	Aerial view of showing location of proposed bay:	
	Street view clearly showing proposed bay:	
	Existing parking restrictions at the proposed bay location:	
	Proximity to the nearest car share vehicle:	
3. Proposed vehicles, according to Bays		
Please attach additional pages as required		
Bay /Vehicle 1	Make:	
	Model:	
	ANCAP Safety Rating: stars	
	Carbon emissions: grams/km	
	Type of electric charger needed: if applicable	
Bay/Vehicle 2	Make:	
	Model:	
	ANCAP Safety Rating: stars	
	Carbon emissions: grams/km	
	Type of electric charger needed: if applicable	
Bay/Vehicle 3	Make:	
	Model:	
	ANCAP Safety Rating: stars	



	Carbon emissions: grams/km	
	Type of electric charger needed: if applicable	
Bay/Vehicle 4	Make:	
	Model:	
	ANCAP Safety Rating: stars	
	Carbon emissions: grams/km	
	Type of electric charger needed: if applicable	
Bay/Vehicle 5	Make:	
	Model:	
	ANCAP Safety Rating: stars	
	Carbon emissions: grams/km	
	Type of electric charger needed: if applicable	
Bay/Vehicle 6	Make:	
	Model:	
	ANCAP Safety Rating: stars	
	Carbon emissions: grams/km	
	Type of electric charger needed: if applicable	
Bay/Vehicle 7	Make:	
	Model:	
	ANCAP Safety Rating: stars	
	Carbon emissions: grams/km	
	Type of electric charger needed: if applicable	
Bay/Vehicle 8	Make:	
	Model:	
	ANCAP Safety Rating: stars	
	Carbon emissions: grams/km	
	Type of electric charger needed: if applicable	
Bay/Vehicle 9	Make:	
	Model:	
	ANCAP Safety Rating: stars	
	Carbon emissions: grams/km	
	Type of electric charger needed: if applicable	
Bay/Vehicle	Make:	



e 10	Model:	
	ANCAP Safety Rating: stars	
	Carbon emissions: grams/km	
	Type of electric charger needed: if applicable	
Additional /alternative bay 1	Make:	
	Model:	
	ANCAP Safety Rating: stars	
	Carbon emissions: grams/km	
Additional /alternative bay 2	Type of electric charger needed: if applicable	
	Make:	
	Model:	
	ANCAP Safety Rating: stars	
	Carbon emissions: grams/km	
	Type of electric charger needed: if applicable	
4. Payment of Application Fee		
If the Applicant is successful, the Applicant must pay Council the \$440 application fee within 30 days of notification. If the Fee is not paid by the deadline, Council may reject the application. Council may in its discretion, amend the Fee.		
5. Privacy Notice		
The <i>Privacy Act 1988 (Cth)</i> makes provisions for collecting, storing using and disclosing personal information, which has implications for the way in which Council handles personal information in its possession or control. Council will only use the Applicant's personal information for the purposes provided to it. Council does not share the Applicant's information with other organisations, or other persons without the Applicant's permission unless it is reasonably necessary for the purpose or when Council is required or authorised by law to do so		
6. Agreement		
THE APPLICANT CERTIFIES that all information provided under this application and the attached supporting documentation is true and correct and AGREES to the Terms and Conditions of the Car Share Procedure. The Applicant acknowledges that the duration of this agreement will last for a period of one year, after which time it will come under review by Council.		
Executed for and behalf of _____ by it's Authorised Representative.		
Signed:		
Name:		
Position:		
Date:		