

FILE NO: PSC2013-00406

TITLE: PARKING ENFORCEMENT POLICY

POLICY OWNER: SECTION MANAGER DEVELOPMENT ASSESSMENT AND COMPLIANCE

1. PURPOSE:

- 1.1 The purpose of this Policy is to outline Council's general approach to the regulation, promotion and enforcement of legal parking arrangements in the Port Stephens Local Government Area (LGA).
- 1.2 The community benefits from safe and fair parking enforcement, with the most important objective of Council being to preserve the safety of pedestrians and drivers.
- 1.3 Council is the primary regulatory authority responsible for parking enforcement in the LGA and has a duty of care to reasonably enforce available legislation in order to maintain pedestrian and driver safety, promote commerce through turnover of parking spaces and to enable equitable access to parking for special groups of motorists.

2. CONTEXT/BACKGROUND:

- 2.1 This Policy provides guidance for the application of parking regulations in the Port Stephens LGA. It has been prepared after consultation with key staff and through analysis of the policies of other Councils.
- 2.2 The enforcement of this Policy cannot modify, exceed or fall short of the intent of current legislative standards. The Policy has been prepared to outline the parking enforcement functions of Council, guided by the relevant legislation and working in conjunction with Council's existing Compliance Policy.
- 2.3 Council's parking enforcement function has economic impacts for Council, the general public and local business. Individual businesses benefit from enforcement which stimulates turnover of parking spaces and access to central business districts. It is therefore important that Council apply parking legislation consistently and fairly.

3. SCOPE:

- 3.1 This Policy provides guidance on Council's responsibilities and judgement around parking compliance. The Policy's primary objectives are to protect public safety and stimulate the local business economy by turning over time limited parking spaces.

3.2 The Policy applies at all times throughout the year to any member of the public parking in a public place, and the requirement for them to abide by the relevant parking signage and legislation. The Policy also applies to any member of the public parking in a public place in time limited carparks and parking lots of private property that are managed by Council. The Policy does not seek to regulate parking on private property where an agreement with Council is not in place to manage parking.

4. DEFINITIONS:

4.1 An outline of the key definitions of terms included in the Policy.

Discretion Discretion relates to a Council officers consideration in deciding whether to take enforcement action or not, or what extent of action to take.

5. POLICY STATEMENT:

5.1 Port Stephens Council carries out its parking enforcement responsibilities to encourage safe parking practices and the provision of fair and equitable access to parking facilities for all Port Stephens residents and visitors. Council will:

5.1.1 Provide equitable parking arrangements that stimulate the local business economy by turning over time limited parking spaces, allowing for greater visitation in areas of high demand;

5.1.2 Ensure compliance with the Road Rules 2014, other relevant legislation and regulations;

5.1.3 Improve vehicular and pedestrian access for residents, workers, shoppers and visitors to Port Stephens LGA; and

5.1.4 Investigate and act on complaints in a timely and respectful manner.

5.2 Exercise discretion in dealing with action, requests or complaints about unlawful parking in accordance with Councils Compliance Policy.

5.3 Carry out education campaigns and increase awareness within the community about the need for parking enforcement so the community understand the importance of these regulations.

6. POLICY RESPONSIBILITIES:

6.1 The Policy is implemented by the Section Manager Development Assessment and Compliance.

6.2 The Team Leader Ranger Services is responsible for the day to day operational delivery of parking enforcement services with the Council's Ranger Services team.

7. RELATED DOCUMENTS:

- 7.1 Local Government Act 1993
- 7.2 Road Transport Act 2013
- 7.3 Road Rules 2014 (NSW)
- 7.4 Roads Act 1993
- 7.5 Port Stephens Council Compliance Policy

CONTROLLED DOCUMENT INFORMATION:

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Audience	Councillors, general public and Council staff		
Process owner	Manager Development Assessment and Compliance		
Author	Coordinator Environmental Health and Compliance		
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Adoption date	14 August 2018		

VERSION HISTORY:

Version	Date	Author	Details	Minute No.
1	July 2018	Coordinator Environmental Health and Compliance	Reviewed the Policy, included numbering to each paragraph. Substantial re-write of the Policy which necessitates the existing Policy and associated Guideline dated 8 April 2014 (Minute No. 079) to be revoked. Intent of existing Policy remains unchanged.	245