4.03.1 Parking Enforcement Guidelines

<table>
<thead>
<tr>
<th>Directorate</th>
<th>Community, Environment &amp; Planning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Responsible Officer</td>
<td>Manager Certification &amp; Compliance</td>
</tr>
</tbody>
</table>

Table of Contents

- Introduction 2
- Background 2
- Parking Priorities 2
- Signage Audit 2
- Enforcement 3
Introduction

This Guideline has been developed to ensure that Council manages its parking enforcement activities in a consistent, transparent, accountable and unbiased manner to achieve a balance between public safety, traffic flow and equitable access to available parking spaces. It is based on the findings of the NSW Department Local Government Review of Council Parking Enforcement (2008).

Background

Council has a regulatory obligation to enforce parking related legislation to manage public safety and traffic flow. Council does not have the power to set parking fine penalties. Parking fines are set by legislation and fines are collected by the State Debt Recovery Office. In 2006 the Minister for Local Government advised all NSW General Managers that the routine issuing of warnings for parking offences is unacceptable and contrary to the objectives of pedestrian safety.

Council is required to set traffic management and parking restrictions. This is accomplished through an independent process via the Local Traffic Committee. Roads and Maritime Services administers the relevant legislation that underpins this process and produces mandatory guidelines that Council must consider in setting parking restrictions.

Council’s Community Safety and Compliance Team regulates parking restrictions and issue Penalty Infringement Notices (PINs) for any breaches. This occurs in compliance with Council’s Compliance and Enforcement Policy and Guidelines.

Council has negotiated a Service Level Agreement with Revenue NSW. This agreement provides Council with the Premium Service for manually issued PINs. A copy of the Service Level Agreement with the Revenue NSW can be located in Content Manager.

The agreement provides for any representations made with respect to a PIN issued by an authorised Council officer to be made direct to Revenue NSW. Determinations regarding any representations or requests to waive PINs are also made by Revenue NSW (not by Council). Revenue NSW may consult Council prior to making its determination.

Council’s Community Safety and Compliance Team manages all PIN handbooks in a secure fashion in accordance with government storage and reporting requirements.

Parking Priorities

Parking regulation priorities have been generally established in the major towns and busier coastal areas of the Shire where seasonal demand for parking can be very high. This includes the public and Council Free Parking Areas established in Bega, Merimbula, Pambula, Eden and Bermagui.

The supply of parking spaces throughout the Shire is limited and a reasonable turnover of the available parking spaces is a sound method to ensure that equitable access to those parking spaces is maintained.

Parking regulation in the Shire is undertaken by the Community Safety and Compliance Team as required and as competing demands permit. All PINs are issued manually and breaches are recorded using overt or open investigations and patrols. There are no parking meters in the Shire.

Signage Audit

Regular auditing of the adequacy of on street and Council Free Parking Area signage is undertaken by Council’s Community Safety and Compliance Team with Works and Assets staff. This audit is documented and registered in Content Manager, along with recommendations for improvement. Recommendations for improvements to parking signage are determined by the Local Traffic Committee and recommendations for maintenance are determined by Council’s Works and Assets Manager.
Enforcement

1. Penalty Infringement Notices (PINs) may be issued for all established parking offences taking into consideration guidelines for cautions issued by the Attorney General under the *Fines Act 1996*. The issue of the PIN shall be in accordance with the process outlined in Council’s *Penalty Infringement Notice* procedures.

2. All evidence and any statements from any party associated with the alleged parking offence are to be collated by Council’s Community Safety and Compliance Team and recorded in Content Manager.

References
1. *Fines act 1996*
2. *Local Traffic Committee: Minute Recommendation*
3. *Privacy and Personal Information Protection Act 1998 NSW*
4. *Evidence Act 1995*
5. *Interpretation Act 1987*
7. *Road Rules 2014*