



PARKING MANAGEMENT AND ENFORCEMENT POLICY

D3-05

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Policy Owner: Director Community, Planning & Environment

Category: Operational

Direction: 3. Our Innovative City

1. STATEMENT OF INTENT

- 1.1 North Sydney Council has been delegated the role of managing parking within its local government area by the Commissioner of Police (19 July 2002).
- 1.2 Council has entered into a Deed of Agreement with the NSW State Debt Recovery Office (SDRO) where Council pays a fee to SDRO to manage the processing of penalty notices issued by Council, including all representations and complaints regarding penalty notices, receive payment of penalty notices on behalf of Council and take enforcement action on those penalty notices not paid.
- 1.3 This Policy outlines Council's philosophy and objectives in managing parking and to provide parameters for staff when taking action to appropriately manage parking.
- 1.4 Council's core values relating to responsive and responsible regulation, and fairness and equity also apply to any action taken in accordance with this Policy.

2. ELIGIBILITY

- 2.1 Implementation of this Policy applies to all Council Rangers and Parking Services Officers, where authorised to enforce legislation pertaining to road rules and parking, local government, planning and environmental and other legislation in accordance with Council's *Delegations Manual* and implementation of Delegated Authority documentation.
- 2.2 This Policy applies to all persons who park motor vehicles within the North Sydney local government area.

3. DEFINITIONS

- 3.1 On-Street Parking - all public streets, roads and road related areas within the North Sydney local government area.
- 3.2 Off-Street Parking - all areas under Council jurisdiction and includes Council's free car parks, allocated areas under the *Local Government Act 1993*, Council parks and reserves and any private road or car park that have an approved agreement enabling enforcement by Council's Authorised Officers.
- 3.3 Authorised Officer - an employee of or person authorised by Council whose duty it is to act in regard to any matters pertaining to the expression.
- 3.4 Delegations Manual and "Implementation of Delegated Authority" - means the Delegations Manual adopted by Council from time to time and any Implementation of Delegations adopted by Council from time to time, in accordance with Section 377 of the *Local Government Act 1993*.

4. PROVISIONS

4.1 General Principles

The principal purposes of parking management undertaken by Ranger & Parking Services Department are to:

- a) assist in ensuring the safety of pedestrians, drivers of motor vehicles and all other road users;
- b) ensure the equitable use of the limited available parking spaces in an environment where demand for such spaces far exceeds supply;
- c) ensure effective traffic flow within the local government area; and
- d) provide a general service to the community.

4.2 Parking Management Priorities

The major parking management priorities for the Ranger & Parking Services Department are:

- a) immediate response to notified or identified dangerous situations or emergencies;
- b) the management of prohibited parking. This covers pedestrian crossings, "No Stopping" and "No Parking" zones as well as adherence to all distance rules;
- c) the management and monitoring of school zones within the local government area;
- d) responding to complaints;
- e) managing and monitoring Clearways and Transitways;

- f) reporting signage and parking meter problems or failures;
- g) enforcement of permissive parking signs and parking meters;
- h) focused operations for particular areas or offences; and
- i) managing misuse of Mobility Parking Scheme permits.

4.3 Parking Management Procedures

- a) Effective parking management relies on the deterrence offered by a high profile officer presence and the perception by the community that an officer will be at a particular location every day.
- b) All offences that are observed by an Authorised Officer will be sanctioned as deemed appropriate by that officer with regard to the priorities listed at Section 4.2.
- c) The normal response of an enforcement officer is to issue an infringement notice; any lesser action (such as a caution or direction to move) will be at the discretion of the officer.
- d) All Authorised Officers are directed to show no tolerance to offences occurring in School Zones, at all pedestrian crossings and signposted "No Stopping" zones.

4.4 Procedure For Appealing a Penalty Notice

- a) Council has a contractual arrangement with the SDRO where SDRO will process and manage the administration of penalty notices.
- b) Included in that arrangement is the management and consideration of all representations made in relation to penalty notices issued by Council.
- c) All representations received by Council will be forwarded to SDRO for their consideration. Centralising this process ensures that there is a consistent approach in decision making with regard to representations and appeals on a state wide basis. The address to appeal a penalty notice at SDRO can be found on the reverse side of a penalty notice or on Council's website.
- d) SDRO may refer representations to Council from time to time to seek clarification of evidence. These referrals will be responded to by the appropriate department of Council within 14 days of receipt at Council of the referral.
- e) Where a representation referred to Council by SDRO requires consideration for leniency a Review Panel will be convened within 14 days of receipt of the representation at Council. The Panel will consist of two of the General Manager, Director Community, Planning & Environment and the Director Corporate Support.
- f) The Panel will be provided technical advice by the Manager Ranger & Parking Services who is a non-voting member.
- g) The decision of the Panel will be advised to SDRO within one working day of the Panel meeting.

- 4.5 Exemptions - Clauses 305 to 310, inclusive of *Road Rules 2008*, state the exemptions applicable to parking regulations.

5. RESPONSIBILITY/ACCOUNTABILITY

- 5.1 Council’s Director Community, Planning & Environment is responsible for monitoring the implementation of this Policy.
- 5.2 Council’s Rangers & Parking Services Officers carrying out their responsibilities in accordance with this Policy.
- 5.3 Council’s Manager People & Culture and Manager Ranger & Parking Services will ensure staff are provided with access to training in accordance with this Policy.
- 5.4 The (Internal) Penalty Notice Review Panel is responsible for reviewing Penalty Notices referred to it in accordance with this Policy.

6. RELATED POLICIES/DOCUMENTS/LEGISLATION

The Policy should be read in conjunction with the following Council policies and documents:

- Code of Conduct - Councillors and Staff
- Complaints Handling Policy
- Customer Service Policy
- Mediation Policy
- Resident Parking Permit Policy

The Policy should be read in conjunction with the following documents/legislation

- Fines Act 1996
- Fines Further Amendment Act 2008
- Local Government Act 1993
- Road Rules 2008

Version	Date Approved	Approved by	Resolution No.	Review Date
1	16 February 2009	Council	61	2012/13
2	24 May 2010	Council	296	2012/13
3	18 February 2013	Council	61	2016/17
4	3 February 2016	General Manager	n/a	2016/17
5	20 February 2017	Council	23	2018/19
6	25 June 2018	Council	214	2020/21
7	26 September 2022	Council	296	2024/25