

COUNCIL POLICY

**Policy Name**

Parking Priority

Abstract

To ensure a balance between public safety, traffic flow and equitable access to available parking spaces and to provide guidance to all authorised officers when carrying out their duties.

Dates	Policy or amendment approved	13 December 2023
	Policy or amendment takes effect	13 January 2024
	Policy is due for review (up to 4 years)	13 December 2027
Endorsed by	Council	
Approved by	Gunnedah Shire Council, at its Ordinary Meeting of Council held 13 December 2023 Resolution number: 6.12/23	
Policy Custodian	Manager Community Safety	
Relevant to	Council	
Superseded Policies	Parking Priority Policy Adopted by Council 15 Apr 2009 Resolution number: 219.1	
Related documents	Nil	
Related legislation	<i>Privacy and Person Information Protection Act 1998</i> <i>Local Government Act 1993</i> <i>Roads Regulation 2018</i> <i>Roads Act 1993</i>	

Contents

1. Purpose
2. Scope
3. Definitions
4. Policy principles
5. Policy statement
6. Accountability, roles and responsibilities
7. Version control and change history

1. Purpose

- 1.1 The purpose of this Policy is:
- a. To promote community awareness of responsible road use through education;
 - b. To ensure that all users of the roads and road reserve areas have safe and equitable access;
 - c. To ensure appropriate regulation of priority events;
 - d. To provide a mechanism that is procedurally fair, for the review of fines; and
 - e. To ensure that all records and evidence relating to infringements, including photographic evidence is securely stored and managed in accordance with privacy and other legislative principles.

2. Scope

- 2.1 This policy applies to all motor vehicles when parked in a road or road related area with the Gunnedah Local Government Area.
- 2.2 Particular emphasis is on prioritising parking enforcement within the Central Business District and school zones.

3. Definitions

3.1 Definitions

Term	Definition
Authorised Officer	An employee of Gunnedah Shire Council who has delegated authority under the Local Government Act 1993 and Protection of the Environment Operations Act 1997.
Central Business District (CBD)	The major commercial or business centre of a town, city or locality.
Road	A road is an area that is open to or used by the public and is developed for, or has as one of its main uses, the driving or riding of motor vehicles.
Road Related Area	A road related area is any of the following: An area that divides a road; A footpath or nature strip adjacent to a road; An area that is not a road and that is open to the public and designated for use by cyclists or animals; or An area that is not a road and that is open to or used by the public for driving, riding or parking vehicles.

4. Policy Principles

- 4.1 Gunnedah Shire Council recognises that it has an important role to play in ensuring equitable access to available parking spaces.
- 4.2 Gunnedah Shire Council is responsible for the control of available parking spaces through installation of parking signage and enforcement.
- 4.3 Gunnedah Shire Council has a role to play in ensuring safety of road users and pedestrians and this policy provides a framework for the enforcement of parking regulations in and around school zones.
- 4.4 Gunnedah Shire Council has a premium service agreement through a Memorandum of Understanding with Revenue NSW to provide a high level of independence and transparency in response to any requests for review of fines.

5. Policy Statement

5.1 Enforcement

- An authorised officer must hold the appropriate delegated authority under the *Local Government Act 1993* to issue fines for offences. Staff delegated to issue fines are set out in Council's Delegation Register.
- A random enforcement program may be applied.
- Authorised officers will issue fines where, in their opinion, there has been a breach of the relevant legislation.
- Major events and school zones will be given highest enforcement priority.
- Parking offences are defined by the legislation and compliance is considered to be a primary responsibility of the drivers of motor vehicles however, authorised officers are encouraged to assess each situation on its own merits in determining whether fines are issued.
- Wherever possible authorised officers will obtain a digital photograph of the offence clearly showing such details as signs, registration details and vehicle position that may be relevant to the offence.
- All photographs taken may be used as evidence in a court of law and will be stored and handled in accordance with the *Privacy and Personal Information Protection Act 1998*.

5.2 Procedural Fairness

- All representations relating to fines issued by Council's authorised officers will be referred, to Revenue NSW for review in accordance with the Memorandum of Understanding between Council and Revenue NSW (Commissioner of Fines Administration under the *Fines Act 1996*).
- Representations referred to Council by the Revenue NSW for comment will be assessed by the Manager Community Safety (or designated alternate).

5.3 Education

- Education of the public on parking standards shall be delivered through Council's social media and other methods as required as required, to develop responsible parking attitudes and awareness in the community.

6. Accountability, Roles and Responsibility

6.1 Manager Community Safety

6.2 Compliance Officers

7. Version Control and change history

Date	Version	Approved by & Resolution No.	Amendment
Apr 2009	1	Council Ordinary Meeting 15 Apr 2009 Resolution 219.1	
Dec 2023	2	Ordinary Meeting 13 Dec 2023 Resolution 6.12/23	