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## 12 NSW PARKING FINES REDUCTION 2019

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**Report prepared by:** Senior Coordinator - Ranger and Parking Services  
**File No.:** GRP/15/1/8 - BP19/273

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### REPORT SUMMARY

At its meeting of 11 December 2018, Council resolved that a report be brought back for consideration, outlining the financial implications of opting in to reduce Level 2 parking fines from \$112 to \$80.

An overview of traffic and parking in the City of Ryde (CoR) highlights the significant number of non-resident workers, students and visitors that frequent the Ryde LGA on a daily basis and place a strain on road and parking infrastructure. Over 100,000 non-residents, workers and students travel into the CoR most days. Council's Resident Parking Schemes and Enforcement Programs are some of the measures Council has implemented to protect residential amenity, support local business by maintaining parking turnover in Town and Village Centres and supporting public safety.

This report outlines the key information in relation to Council considering whether to opt-in to reduce certain parking fines as outlined by the NSW Government. The response from Local Government NSW and NSROC Councils are outlined in this report.

For the above reasons the suggestion to opt-in is not supported. Across the Sydney metropolitan region only four Councils to date have opted-in to the NSW Parking Fines reduction.

### RECOMMENDATION:

- (a) That Council not proceed with opting in to reduce level 2 penalty notices as suggested by the New South Wales Government.
- (b) That the General Manager write to the NSW Treasurer advising Council's decision.

### ATTACHMENTS

- 1 NSW Parking Fines - Council Opt-in Fact Sheet
- 2 NSW Parking Fines - Council Opt-in Frequently Asked Questions
- 3 NSW Councils Response NSW Parking Fines - Council Opt-in

**ITEM 12 (continued)**

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## ITEM 12 (continued)

### Background

Over the last four years, on average Council has issued [REDACTED] infringements for level 2 parking offences with approx. 80% issued to non-residents. The proposed option to reduce level 2 fines from \$112 to \$80 could potentially encourage more workers and students commuting to Ryde to travel by car rather than utilising public transport.

[REDACTED]

[REDACTED]

### Legislative Changes

In NSW, parking fines are set by the State Government.

In 2018 the State Government reviewed all fines issued throughout New South Wales and announced in June 2018 that they will be reducing the cost of parking fines by 25%. The reduction will affect 52 level 2 parking offences, reducing the current penalty from \$112 to \$80. These fines relate to parking offences, which do not impact road safety.

On 1 July 2018 NSW authorities commenced issuing fines at the lowered rate of \$80 within areas they patrol including Sydney Olympic Park, Centennial Park, the Royal Botanic Gardens and Parramatta Park. In November 2018 the Roads Transport (General) Regulation 2013 was amended to allow Councils the opportunity to opt-in to the program to reduce parking penalty notices for the 52 level 2 parking offences.

The NSW Government requested that Councils consider the decision and implications should they decide to 'opt-in' (see **ATTACHMENT 1**).

There are a number of notification dates in 2019 when a Council can notify the NSW Treasurer whether they wish to opt-in. The next notification date is 1 April 2019 with the lowered rate of \$80 taking effect from 1 June 2019.

## **ITEM 12 (continued)**

### **Response from Local Government**

Local Government New South Wales (LGNSW) has responded to the approach by the State Government to reduce parking fines by suggesting that local communities could be negatively impacted in a number of ways. Firstly, it would reduce the amount of money collected from paid fines that is reinvested back into the community to improve road maintenance or other community initiatives. Secondly, it may encourage more drivers to commute via car rather than use public transport adding to traffic and parking congestion.

Currently there are no Councils in the Northern Sydney Regional Organisation of Councils (NSROC) who have opted-in to reduce parking fines. Across NSW there have been 18 Councils that have opted in, comprising 14 regional councils and four (4) metropolitan Councils - including Blacktown City Council, Fairfield City Council, Liverpool City Council and The Hills Shire Council.

**ATTACHMENT 3** is a list of all Councils in NSW and their decision to either opt-in or opt-out.

### **Discussion**

#### **Traffic and Parking in the City of Ryde**

There are over 120,000 people who work or study in the CoR, consisting of 84,327 workers and over 40,000 university and TAFE students. The majority of workers, 67,872 (80.41%) are not local residents. The vast majority of university and TAFE students are also non-residents. The main method of travel to work of workers into the Ryde LGA is by car (62.8%), followed by 19.9% who use public transport.

The CoR now has the third largest number of non-resident workers of any LGA in NSW with the City of Sydney and Parramatta City having a larger influx of workers each day. In addition, CoR has a major University and TAFE which increases this intake of vehicles into the LGA most days of the week.

The daily intake of both workers and students places enormous strain on local road and parking infrastructure. In addition, over the past 15 years, there has been a rise in the number of people visiting and working within the Macquarie Park Business Hub and studying at Macquarie University.

The CoR also has a number of destinations that attract visitors from outside the local government area. This includes Eastwood which experiences a high number of people visiting who do not live in the area wishing to access specialty shopping. Eastwood CBD is parked out seven days a week with parking at a premium.

## **ITEM 12 (continued)**

Council has responded to the high volumes of vehicles coming into the City of Ryde by implementing a range of parking solutions. Over the past 15 years 9 permanent and 2 temporary Resident Parking Schemes have been established. In addition, a parking enforcement program has been developed which aims to protect residential amenity, support local business, improve public safety (especially around schools), improve traffic flow and reduce congestion, to ensure access to available parking for residents and visitors.

### **Analysis of Parking Infringements issued**

An analysis was carried out to determine how many of the 52 offences listed by the NSW Government were enforced by CoR which revealed that 14 of the 52 offences are currently enforced by CoR Rangers. Some of the offences listed, relate to coupon parking, phone pay parking and loading zone ticket parking to name a few.

Infringement statistics from 2017/18 indicate 59.4% are related to level 2 offences throughout the City.

An analysis of infringement notices issued by the CoR per annum reveals that approx. 80% of parking offences are committed by drivers who do not live in the Ryde LGA. Council staff have been seeking to clarify the estimated number of non-resident infringements with a number of State Agencies. Unfortunately, postcode data for yearly infringements totals [REDACTED] cannot be easily accessed.

At the time of finalising this report staff therefore needed to rely upon on a range of secondary data sources to determine the figure as follows:

- Series of workshops with the Ranger Parking team who work in the area every day.
- Analysis of infringements by suburb.
- Gathered statistics of postcodes from Drives24 database searches where infringement notices are posted to owners of vehicles.
- Addresses of people attending Court last financial year.

### **Potential Consequences of Opting in**

By reducing the fine amounts, there is the potential for some drivers to accept the risk of being fined. For example, a commuter who might pay for parking at a rate of \$100-125 per week may decide to park in a Residential Parking Zone and risk one fine a week on the basis that they would be in a better position compared to paying a weekly parking rate.

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A reduction in parking fines could send the wrong message to commuters and students travelling into the CoR each day and encourage more vehicle travel rather than utilising public transport. Traffic and parking congestion will continue to be a major challenge for the CoR particularly having both Macquarie Park and Macquarie University located in the LGA. Therefore, the implementation of reducing these fine categories would further exacerbate the problem.

Council needs to continue to support measures that shift the current travel mode split away from vehicles to using public transport.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

**Options**

**Option 1 – Do Not Opt In (Preferred Option)**

Due to the significant loss of future income this is the preferred option. Given that 80% of level 2 fines are issued to non-residents there would be little benefit to CoR residents in reducing fines from \$112 to \$80.

In addition, a reduction in fine amounts has the potential to encourage more non-residents to drive to the employment and study centres of Macquarie Park and Macquarie University. This could lead to a worsening of the already congested traffic and parking conditions in many areas of the LGA.

[REDACTED]

[REDACTED]

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[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

## ITEM 12 (continued)

### Conclusion

The CoR has a point of difference to other LGAs in Sydney in that it has significantly more non-resident workers and students travelling to the area most days of the week due to our major employment and study centres of Macquarie Park and Macquarie University. Council has historically issued [REDACTED] level 2 parking fines, of which approx. 80% have been non-residents.

A decision to opt-in to the level 2 fine reduction in the CoR would not be in the community's best interest. This option could potentially send the wrong message to commuters and students travelling to Ryde by encouraging them to travel by car rather than to use public transport. This will increase the current traffic and parking congestion in many parts of the City of Ryde.

[REDACTED]

Overall the offer by the State Government to reduce level 2 fines from \$112 to \$80 is not supported due to the significant negative impacts it would have on our local community.



**ITEM 12 (continued)**

**ATTACHMENT 1**



The purpose of this document is to provide information regarding the option to lower parking fines by NSW Councils and Universities.

**Changes to the parking fine amounts**

On 1 July 2018, the top 10 (by revenue raised) level 2 parking fines issued by NSW Government authorities were reduced from \$112 to \$80 and a further 42 level 2 parking fines will be reduced from 1 January 2019.

**Implications for councils**

The NSW Government has made regulatory changes to enable councils and universities to also charge the lower parking fine amounts for these 52 parking fines, in line with NSW Government authorities.

These concessions do not apply automatically. Until a council or university elects to participate, the higher penalty of \$112 will continue to apply to penalty notices issued by its enforcement officers in relation to the relevant offences.

**What fines are being reduced?**

The reduced fine amount applies to the following offences:

Item	NSW Government Rule No.	Description
1.	Rule 168-1 (1)	Stop/park in restricted parking area
2.	Rule 205	Park continuously for longer than permitted
3.	Rule 207-1 (6)	Park without paying meter fee
4.	Rule 207-1 (11)	Park after meter expired
5.	Rule 207-3 (1)	Park without current ticket displayed
6.	Rule 207-3 (4)	Park after ticket expired
7.	Rule 179-1 (1)	Park without current loading zone ticket
8.	Rule 179-1 (5)	Park after loading zone ticket expired
9.	Rule 168-1 (1)	Stop/park in restricted parking area
10.	Rule 210 (1)	Not park at 90° angle
11.	Rule 210 (1)	Not park at 45° angle
12.	Rule 210 (1)	Not park as on parking control sign/road marking
13.	Rule 210 (1)	Not position vehicle correctly - front/rear (90° angle parking)
14.	Rule 210 (1)	Not position rear of vehicle correctly (45° angle parking)
15.	Rule 211 (2)	Not park wholly within parking bay
16.	Rule 211 (3)	Use more parking bays than necessary
17.	Rule 184 (1)	Stop in minibus zone (other)
18.	Rule 207-1 (1)	Park outside metered space
19.	Rule 207-1 (12)	Park for longer than allowed by metered signs

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20.	Rule 207-2 (a)	Park in occupied metered space
21.	Rule 207-2 (b)	Park across markings of metered space
22.	Rule 207-3 (5)	Park for longer than allowed by ticket signs
23.	Rule 207-4 (a)	Park in occupied ticket space
24.	Rule 207-4 (b)	Park across marking of ticket space
25.	Rule 207-5 (1)	Park without current coupon
26.	Rule 207-5 (4)	Display more than 3 coupons at a time
27.	Rule 207-5 (5)	Park after coupon expired
28.	Rule 207-5 (6)	Park for longer than allowed by coupon signs
29.	Rule 207-6 (a)	Park in occupied coupon space
30.	Rule 207-6 (b)	Park across markings of coupon space
31.	Rule 207-7	Park in pay parking area or space that is closed
32.	Rule 207-8 (1)	Park in phone parking area not pay parking fee as prescribed
33.	Rule 207-8 (4)	Remain parked in phone parking area paid period expired
34.	Rule 207-8 (5)	Remain parked in phone parking area beyond permissible
35.	Rule 207-9 (1)(a)	Park in phone parking space while other vehicle in space
36.	Rule 207-9 (1)(b)	Park in phone parking space not wholly inside markings
37.	Rule 179-1 (4)	Display more than one loading zone ticket
38.	Rule 179-1 (6)	Replace expired loading zone ticket
39.	Rule 179-1 (7)	Park in discontinued ticket loading zone
	<b>LOCAL GOVERNMENT ACT 1993</b>	<b>Description</b>
1.	Sec 650 (1)	Stand vehicle in area longer than allowed
2.	Sec 650 (4)(a)	Not stand vehicle in marked parking space
3.	Sec 650 (4)(b)	Stand vehicle in occupied marked parking space
4.	Sec 650 (4)(c)	Not stand vehicle wholly in marked parking space
5.	Sec 650 (5)	Fail to comply with parking direction
6.	Sec 650 (5)	Fail to comply with vehicle movement direction
7.	650A (1)	Park vehicle in strata parking area etc contrary to sign
8.	650A (1)	Park vehicle strata parking area etc not at times permitted
9.	650A (1)	Park vehicle strata parking area etc not for time permitted
10.	650A (4)(a)	Park vehicle not in marked parking space
11.	650A (4)(b)	Park vehicle in marked parking space with another vehicle

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**ATTACHMENT 1**

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Consider promoting the changes within your community, so citizens are better informed about the new arrangements and where they apply in their local area.

**For more information**

Please visit: [www.nsw.finesreview.com.au](http://www.nsw.finesreview.com.au) for additional information

Or use the following email address to submit any questions or queries

Email: [finesreview@treasury.nsw.gov.au](mailto:finesreview@treasury.nsw.gov.au)



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**ATTACHMENT 2**



The purpose of this document is to provide information regarding the option to lower parking fines by NSW Councils and Universities.

**What are the changes to parking fines?**

The NSW government has lowered a group of 52 non-safety related level 2 parking offences from \$112 to \$80.

**How does this affect councils?**

The NSW Government has amended regulation so that councils and universities can also charge lower fine amounts.

**Does the reduction apply to all parking fines?**

No. On July 1 2018 the top 10 (by revenue raised) level 2 parking fines issued by NSW Government authorities were reduced and a further 42 level 2 parking fines will be reduced from 1 January 2019. These 52 fines are listed in the NSW Parking Fines – Council Opt In Fact Sheet.

**How can my council opt in?**

These concessions do not apply automatically. If you would like to opt in and apply the lower parking fine amounts, your council must advise the Treasurer in writing by 1 January 2019.

**Are all local councils eligible to opt-in?**

Yes

**When will the changes be happening?**

Councils who opt in by 1 January 2019 can start charging the lower amount for fines from 1 March 2019.

**What if my council needs more time to make a decision?**

It is important that each council has time to consider the implications of a decision to opt in. If you don't opt in by 1 January 2019, there will be another three opportunities to do so in 2019 (by 1 April, 1 July and 1 October).

**What happens after my council opts-in?**

There is a two-month lead time between notifying the Treasurer in writing of the decision to opt in and the date when the reduced fine amount would take effect. If you opt in by 1 January 2019 for lower parking fine levels, you will be able to pass on the benefits to your constituents/community from 1 March 2019

**What else does council need to do if we opt-in?**

You should advise your parking inspectors of these changes and their responsibilities when issuing penalty notice orders, to ensure smooth implementation from 1 March 2019.

Relevant manuals and other communications should be updated prior to the implementation date.

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12.	650A (4)(c)	Park vehicle not wholly in marked parking space
13.	650A (5)	Not comply with direction regarding parking or movement of vehicle

**Are these fines still indexed?**

Yes, these fines all remain subject to current arrangements for annual indexation (on 1 July)

**What do councils need to do?**

It is important that each council and university has time to consider the implications of a decision to opt in including: the financial impact of reducing the relevant fine; the benefits to citizens; and the appropriate steps to ensure smooth implementation of the changes.

If you would like to opt in and apply the lower parking fine amounts, your council or university should advise the Treasurer in writing by 1 January 2019 that they wish to be included in Schedule 5A of the Road Transport (General) Amendment (Parking Fine Flexibility and Grace Period) Regulation 2018.

Councils that choose to opt in by 1 January 2019 can start charging the lower amount for fines from 1 March 2019.

If you do not opt in by 1 January, you will have further opportunities to opt in at later points over the next year, as follows.

	Due date for written advice to Treasury to opt-in	Implementation date to start at
For 2019	1 January 2019	1 March 2019
	1 April 2019	1 June 2019
	1 July 2019	1 September 2019
	1 October 2019	1 December 2019
	From that on onwards	From 1 Feb onwards
	1 April 2020	1 July 2020

**For the opt-in**  
 Please visit [www.parking.fines.nsw.gov.au](http://www.parking.fines.nsw.gov.au) for details of application  
 Or use the following email address: [infocentre@parking.fines.nsw.gov.au](mailto:infocentre@parking.fines.nsw.gov.au)  
 Email: [infocentre@parking.fines.nsw.gov.au](mailto:infocentre@parking.fines.nsw.gov.au)



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**ATTACHMENT 3**

## Councils opting in from 28 February 2019

Published 30th January, 2019

1. Inverell Shire Council
2. Lachlan Shire Council
3. Liverpool City Council
4. Narrabri Shire Council
5. Wingecambee Shire Council
6. Yass Valley Council
7. Bland Shire Council
8. Hills Shire Council
9. Muswellbrook Council
10. Blacktown City Council
11. Glen Innes Severn Council
12. Camden Council
13. Richmond Valley Council
14. Clarence Valley Council
15. Eurobodalla Shire Council
16. Cessnock City Council
17. Fairfield City Council
18. Forbes Shire Council

Source: <https://www.nsw.gov.au/improving-nsw/projects-and-initiatives/nsw-fines-review/council-list/> Accessed: 27.2.2019

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**ATTACHMENT 3**

**Other councils – Not opting in from 28 February 2019**

1. Albury City Council
2. Armidale Regional Council
3. Ballina Shire Council
4. Balranald Shire Council
5. Bathurst Regional Council
6. Bayside Council
7. Bega Valley Shire Council
8. Bellingen Shire Council
9. Berrigan Shire Council
10. Blayney Shire Council
11. Blue Mountains City Council
12. Bogan Shire Council
13. Bourke Shire Council
14. Brewarrina Shire Council
15. Broken Hill City Council
16. Burwood Council
17. Byron Shire Council
18. Calonne Council
19. Campbelltown City Council
20. City of Canada Bay Council
21. Canterbury Bankstown Council
22. Carrathool Shire Council
23. Central Coast Council
24. Central Darling Shire Council
25. Cobar Shire Council
26. Coffs Harbour City Council
27. Coolamon Shire Council
28. Coonamble Shire Council
29. Cootamundra-Gundagai Regional Council
30. Cowra Shire Council
31. Cumberland Council
32. Dubbo Regional Council
33. Dungog Shire Council
34. Edward River Council
35. Federation Council

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36. Georges River Council
37. Gilgandra Shire Council
38. Goulburn Mulwaree Council
39. Greater Hume Shire Council
40. Griffith City Council
41. Gunnedah Shire Council
42. Gwydir Shire Council
43. Hawkesbury City Council
44. Hay Shire Council
45. Hilltops Council
46. The Council of the Shire of Hornsby
47. The Council of the Municipality of Hunters Hill
48. Inner West Council
49. Junee Shire Council
50. Kempsey Shire Council
51. The Council of the Municipality of Kiama
52. Ku-ring-gai Council
53. Kyogle Council
54. Lake Macquarie City Council
55. Lane Cove Municipal Council
56. Leeton Shire Council
57. Lismore City Council
58. City of Lithgow Council
59. Liverpool Plains Shire Council
60. Lockhart Shire Council
61. Maitland City Council
62. Mid-Coast Council
63. Mid-Western Regional Council
64. Moree Plains Shire Council
65. Mosman Municipal Council
66. Murray River Council
67. Murrumbidgee Council
68. Narrabri Shire Council
69. Narrandera Shire Council
70. Narromine Shire Council
71. Newcastle City Council



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72. North Sydney Council
73. Northern Beaches Council
74. Oberon Council
75. Orange City Council
76. Parkes Shire Council
77. City of Parramatta Council
78. Penrith City Council
79. Port Macquarie-Hastings Council
80. Port Stephens Council
81. Queanbeyan-Palerang Regional Council
82. Randwick City Council
83. Council of the City of Ryde
84. Shellharbour City Council
85. Shoalhaven City Council
86. Singleton Council
87. Snowy Monaro Regional Council
88. Snowy Valleys Council
89. Strathfield Municipal Council
90. Sutherland Shire Council
91. Council of the City of Sydney
92. Tamworth Regional Council
93. Temora Shire Council
94. Tenterfield Shire Council
95. Tweed Shire Council
96. Upper Hunter Shire Council
97. Upper Lachlan Shire Council
98. Uralla Shire Council
99. Wagga Wagga City Council
100. Walcha Council
101. Walgett Shire Council
102. Warren Shire Council
103. Warrumbungle Shire Council
104. Waverley Council
105. Weddin Shire Council
106. Wentworth Shire Council
107. Willoughby City Council

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**ATTACHMENT 3**

108. Wollondilly Shire Council

109. Wollongong City Council

110. Woolahra Municipal Council

List accessed: 18.3.2019

<https://www.nsw.gov.au/improving-nsw/projects-and-initiatives/nsw-fines-review/council-list/>