



2017–2021

CITY OF LOGAN

SAFE COMMUNITY PARKING GUIDE





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Executive Summary

The purpose of the *Safe Community Parking Guide 2017 - 2021* is to provide a framework in the management of the parking services provided by Logan City Council.

There are many factors which impact upon parking in a growing city. Logan City sits between Brisbane and other major growth corridors to the south and west and this creates considerable traffic flow to the city. Combined with Logan's current growth and development rate, residential, business and commuter parking pressures have increased in the city.

Car parking presents complex and difficult management challenges for Council. On-street parking is a public asset and a limited resource, with demand frequently outstripping supply. Council takes its responsibility to manage this valuable resource very seriously – now and in the future.

This parking guide contains action plans to align with the *Strategy for Road Safety in the City of Logan 2017-2021*. This includes action plans in relation to drivers disobeying traffic signs, especially in school zones and prohibited parking areas, which increase the risk to the safety of drivers and pedestrians. These issues will be dealt with through education and parking enforcement actions.

The *Queensland Road Rules* apply to all drivers in the City of Logan and this guide aims to provide clarity to the community on how parking is managed by Logan City Council.



Introduction

The Safe Community Parking Guide 2017 - 2021 has been developed to inform and educate residents, business operators, visitors and drivers on how Logan City Council will administer the *Queensland Road Rules* and other parking laws in a fair, practical, consistent and equitable manner to meet the needs of a growing city.

The safe and efficient movement of traffic, safe parking of vehicles and turnover of parking spaces, especially in high demand areas, is essential to residents, business and the community.

When a decision is made to regulate parking in a particular area through the use of official traffic signs or other mechanisms, the question of how the Council apply and enforce the parking laws often arises. While enforcement is necessary to achieve the purpose of applying parking restrictions, the enforcement actions used by Council to achieve this also need to be flexible enough to respond to different circumstances.

A breach of the parking laws need not lead to the issue of an infringement notice in every case. The power to issue an infringement notice must be balanced with a sense of fairness, practicality and common sense.

In the development of this guide, previous parking enforcement practices endorsed by Council have been considered and varied where necessary, to ensure that this guide meets the current needs of a growing city.

Logan City – some facts

Logan City Council is the fifth largest local government in Australia and home to a population of 313,000 residents.

The annual growth rate is forecast at 2.1 per cent for the next 10 years and by 2036, the population is expected to be 521,749¹ as the newer suburbs of Flagstone and Yarrabilba expand.

The City has an area of 957km² and is dissected by major roads including the Pacific Motorway, the Logan Motorway and the Mount Lindesay Highway. There are more than 4,700 roads across 70 suburbs over 2,147 kilometres of roads, with 1,088 kilometres of footpaths².

Within the city are 19,490 businesses³, a large number of schools and numerous business, commercial and shopping precincts.

Aims and objectives

The object of the Safe Community Parking Guide is to provide a framework in which parking in Logan City is regulated under State legislation and local laws.

This guide sets out:

- links to Council's Corporate Plan
- alignment to the *Strategy for Road Safety in the City of Logan 2017-2021*
- the applicable State legislation and local laws that relate to parking enforcement
- guidelines and general practices and processes undertaken during parking enforcement

- Council's approach to the application and enforcement of parking laws which is to ensure that the parking of vehicles achieves a balance between public safety, traffic flow and equitable access to available parking spaces
- opportunities to educate drivers and the wider community about parking laws
- the process for the issue and review of parking infringement notices.

The aim of the guide is to:

- align with the intent of the *Strategy for Road Safety in the City of Logan 2017-2021* through the implementation of action plans
- administer parking laws in a consistent manner through the application of standard operating procedures
- utilise education and awareness materials
- prescribe standards for various operational duties, functions and responsibilities of Council officers involved in all administration, education and enforcement of parking laws in Logan City
- set standards for the delivery of quality customer service and expectations of staff behaviour for professional service delivery
- provide processes for the review of parking infringement notices
- deliver quality outcomes for a safer city

Links to the Corporate Plan

Over the life of the Corporate Plan 2017-2022, Council is committed to providing and maintaining resources to administer parking laws for public safety and road safety. The Corporate Plan (QL1.5) focus will be to facilitate, educate and promote public health and safety and community amenity requirements to maintain healthy and safe places and spaces for residents, businesses and visitors.

Alignment to the Strategy for Road Safety in the City of Logan 2017-2021

The Safe Community Parking Guide supports the *Strategy for Road Safety in the City of Logan 2017-2021* objectives that aim to influence responsible driver and road user behaviour, enhance safety, focus on the road safety needs of school children and continue to foster communication on road safety matters with key agencies and the community.

Action plans have been developed to align with the strategy through education, awareness and enforcement of the parking laws.

Applicable laws

State Legislation / Local Laws

- *Transport Operations (Road Use Management) Act 1995*
- *Transport Operations (Road Use Management – Road Rules) Regulation 2009* – also known as the *Queensland Road Rules*
- *Local Government Act 2009*
- *State Penalties Enforcement Act 1999*
- *State Penalties Enforcement Regulation 2014*
- *Local Law No. 7 (Parking) 2003*
- *Subordinate Local Law No. 7.1 (Regulated Parking) 2003*
- *Subordinate Local Law No. 7.2 (Heavy Vehicle Parking on a Road) 2003*

¹ Queensland Treasury and Trade, (2014), *Queensland Regional Profiles, Logan City Local Government Area*, 26 June 2014.

² www.logan.qld.gov.au/about-logan/living-in-logan/statistics-and-facts

³ www.logan.qld.gov.au/about-logan/living-in-logan/statistics-and-facts



Consistent messaging

In the promotion of safe community parking it is essential to provide consistent messaging in educational materials or media releases. Messages should be clear, consistent and brief. Repetition is essential for reinforcing safe community parking practices.

To fulfil this objective, both Council's corporate logo and the SAFEROADS4LOGAN logo will be used on educational materials, infringement notices and associated correspondence. Furthermore, positive community parking statements will also be used in these materials.

SAFEROADS4LOGAN



Council practices and processes

The efficient and effective regulation of parking relies on a regular presence of Council's Community Parking Officers (CPOs). Consistency and fairness with enforcement is a key component in quality customer service and effective regulatory

service delivery. CPOs undertake a range of activities in the administration of the *Queensland Road Rules* and conduct patrols on roads, in traffic areas and in off-street regulated parking areas across the city.

<p>Complaint based responses</p>	<p>Council responds to a high number of complaints each year relating to the parking of vehicles in residential areas, business areas, around schools and in disabled parking spaces at shopping centres.</p>
<p>Proactive parking enforcement</p>	<p>Logan City does not have any metered or paid parking areas and consequently CPOs conduct proactive patrols and attend to:</p> <ul style="list-style-type: none"> • timed parking bays • sign restricted areas • school zone parking • off-street regulated parking areas such as shopping centres and Council facilities • business and commercial zones <p>CPOs also target specific offences and locations in order to improve road safety and traffic flow through education and awareness including making recommendations for changes to parking signage or enforcement.</p>
<p>High visibility patrols</p>	<p>This kind of patrol involves activities where CPOs are clearly visible in full uniform and/or high visibility vests for all motorists and members of the public to see – for example, school zone parking.</p>
<p>ANPR vehicle patrols</p>	<p>Council utilises a highly visible automatic number plate recognition (ANPR) vehicle, fitted with cameras, to monitor parking in the city. The vehicle has the ability to efficiently move around the city, and detect vehicles parked illegally.</p>
<p>Low visibility patrols</p>	<p>This kind of patrol involves activities where CPOs may not be clearly visible and this includes use of patrols conducted from an unmarked vehicle.</p>
<p>Hours of operation</p>	<p>CPOs operate between the hours of 7am to 5pm Monday to Friday. Some weekend and after hours patrols may be programmed on an ad-hoc basis to deal with specific parking matters.</p> <p>Outside of the above hours, parking complaints of a dangerous or urgent nature should be referred to the Queensland Police Service (QPS). The police will attend on a priority basis and may investigate breaches of the <i>Queensland Road Rules</i> and issue infringement notices.</p>

Standard operating procedures	CPOs follow standard operating procedures to guide them in their duties.
Behaviour standards	<p>CPOs are required to comply with Council's Code of Conduct and the standard operating procedures.</p> <p>CPOs must:</p> <ul style="list-style-type: none"> • be courteous, fair and equitable, diligent and demonstrate appropriate behaviour at all times. • apply the 'benefit of the doubt' principle. This involves not issuing an infringement notice if there is any doubt as to whether an offence has been committed. • ensure that infringement notices are not issued unless all relevant traffic signs or road markings are clear and visible • observe and obey the Road Rules at all times - except in the case of an emergency or where non-compliance was necessary in the interests of public safety. • recognise that drivers may become upset when issued with an infringement notice for an illegal parking offence. • not verbally abuse, threaten or assault any member of the public. CPOs report to their supervisor any verbal abuse, threats or assaults directed at them. • act as ambassadors for Logan City Council and the community.
Discretion	CPOs may exercise discretion in deciding whether or not to take action in regard to a vehicle parked contrary to the parking laws. This discretion is personal to each CPO and individual to each case presented. It is desirable that decisions made be consistent with this guide.
Officer identification	<p>CPOs should:</p> <ul style="list-style-type: none"> • be appropriately dressed in corporate uniform when conducting parking patrols. • produce or display their Council identity card upon request from a member of the public when conducting an inspection or investigation involving the member of public.
Officer safety	<p>The personal safety of CPOs is paramount at all times. CPO's are provided with duress alarms as an extra layer of protection to identify their location in an emergency.</p> <p>CPOs should withdraw from any confrontational situations (e.g. verbal abuse), advise their supervisor as soon as practical and make a report of the incident.</p> <p>CPOs subject to personal threats or assault must report these incidents to their supervisor and if they consider it appropriate, to the Queensland Police Service.</p>

New technology

Council will investigate new technology that may provide for the more efficient and effective regulation of parking in the city, including:

- Improvements to the current electronic infringement notice system
- The use of electronic permit identification systems
- In-car cameras or fixed cameras (e.g. on poles in the vicinity of a school)
- Parking sensors that electronically report vehicles exceeding the parking time limit
- Parking surveillance cameras

Service of infringement notices

Infringement notices must be served in accordance with the *State Penalties Enforcement Act 1999* to:

- the owner of the vehicle; or
- a person named in a known user declaration or a sold vehicle declaration.

Infringement notices may be served by:

- Personal service
- Post
- Attaching the notice to the vehicle.

Continuing offence resulting in multiple infringement notices

Where a vehicle has been issued with two separate infringement notices and remains parked illegally at the same location, the CPO may assess whether the vehicle is abandoned, unregistered or a danger, hindrance or obstruction to the use of a road for a lawful purpose and take appropriate action to ensure compliance with the relevant laws.

Cancellation of an infringement notice in the field

A CPO who issues an infringement notice to a vehicle does not have authority to cancel or withdraw the infringement notice if the circumstances suddenly change.

- For example – where a driver returns to a vehicle stopped in a disability parking area after the infringement notice was issued and produces a disability parking permit that was not displayed at the time.

In such a case, the person issued with the infringement notice must write to Council on the approved form and request a review of the infringement notice and provide supporting evidence and information as to why the fine should be withdrawn.

This practice is in place to ensure that the integrity and accountability of the CPO is maintained. Reviews of infringement notices are conducted by a delegated officer of Council and not the person that issued the original infringement notice.



Requiring name and address of vehicle owner or driver

CPOs are appointed as authorised persons under the *Local Government Act 2009* and have authority to require the name and address of the owner or driver of a vehicle that they find committing an infringement notice offence.

It is an offence for the owner or driver to fail to provide a name or address or evidence of correctness, where required. A person who fails to provide their name, address or evidence of correctness will be warned that it is an offence not to do so.

Photographs

With the availability of digital camera technology, there is an expectation by the courts that photographs are taken of vehicles involved in alleged parking offences, where practicable, for presentation as evidence in court if required.

The owner of a vehicle subject to infringement notice may request, in writing, a copy of any photograph/s taken in relation to the alleged offence within 28 days of the date of issue of the infringement notice to ensure that a relevant option is taken within the statutory time.

It is lawful for a CPO to take a photograph of a vehicle in a public place such as on a road or in a public carpark near a school, even if children are nearby. When CPOs investigate parking offences in the vicinity of a school, they are cognisant of the fact that children are present but their focus is on parking offences.

Warnings

CPOs are under no legal obligation to issue a warning before the issue of an infringement notice. However, they may use their discretion in the investigation of a parking breach considered minor and has been, or can be, rectified immediately, or if it is more practical to issue a warning in the first instance. For example

- a warning may be given where a vehicle is parked in a disability parking bay not displaying a permit and the driver returns before an infringement notice is issued, and presents a valid disability parking permit.
- a vehicle parked parallel on a nature strip in a residential area may be given a warning in the first instance.



Safe community parking guidelines

Residential areas/streets

CPOs usually attend residential areas in response to parking complaints however proactive patrols may be conducted in high volume traffic thoroughfares.

Business areas

Business areas are primarily areas where there are shops, offices and other commercial premises that endure high volumes of vehicles, with limited on-street parking, often limited by time, for example, 1P, 2P or 4P. CPOs will frequently inspect these areas to ensure the turnover of parking spaces.

School zone parking

There are a large volume of schools in Logan City. Council utilises various strategies to educate and discourage illegal parking in school zones to ensure the safety of school children and the public.

A school zone is the roads near to, around or adjacent to a school and includes the 40 km per hour speed school zone area.

CPOs inspect parking on roads around schools, especially during the peak morning drop off and afternoon pick up times.

School zone patrols are conducted with the ANPR camera vehicle. The ANPR vehicle is highly visible and can efficiently patrol multiple school zones in a short period of time, which increases efficiency and safety

around schools. Infringement notices are issued to the vehicle owner by post.

Council has a zero tolerance policy when conducting a school inspection due to the safety risk to young children and other pedestrians and road users.

Whilst Council attends many schools each year, due to the high number of schools within Logan, Council may not attend every school within its jurisdiction and cannot always attend a school on a request. Council has an expectation that school administrators also take steps to educate drivers and children to ensure their safety around schools.

Schools patrols are conducted on a risk basis that takes into consideration:

- past traffic incident data from QPS / TMR
- customer complaints about parking in or near school zones
- school patrols conducted
- issue of infringement notices
- ongoing regular parking breaches
- parking availability around the school

CPOs that detect illegal parking in a school area issue infringement notices by post to the vehicle owner for the following reasons;

- it reduces the likelihood of drive-offs occurring which may put the safety of the CPO, children and other road users at risk.

- it reduces the likelihood of an illegally parked vehicle causing traffic congestion whilst the CPO speaks to the driver and issues the fine.
- it prevents situations occurring where a vehicle owner or driver threatens or abuses a CPO in the presence of children or other members of the public.

When CPOs investigate parking offences in the vicinity of a school, they are cognisant of the fact that children are present.

- officers photograph vehicles that contravene the parking laws and photographs may contain images of children that a driver may have put at risk - for example - a parent that stops in a No Stopping zone to collect their children.
- it is not unlawful for a CPO to take photographs of vehicles or other matters in public places.
- CPOs do not work with children, therefore there is no requirement for officers to have a Blue Card.

Disability parking - on roads

CPOs monitor disability parking bays located on public roads throughout the city. Monitoring these parking bays ensures that people with a disability parking permit have access to available disability parking spaces.

Where no current Australian Disability Parking permit is displayed or visible from

outside of the vehicle, an infringement notice will be issued to the owner of the vehicle.

Queensland red permit holders are not eligible to park in on-street disability parking spaces. A warning will be issued in the first instance if a red permit holder is located parked in an on street disability parking space.

Disability parking - shopping centres

CPOs monitor disability parking bays at a number of shopping centres located throughout the city.

Council has written agreements with the owners of shopping centres to enforce disability parking bays on their premises. Council's website identifies the shopping centres monitored by Council and provides educational information about disability parking permits.

On entering into an agreement with the owner of a new shopping centre, Council conducts an educational campaign before enforcement by issuing warnings and educational material to drivers of vehicles located parked illegally.



Other off-street regulated parking areas - Council owned or managed premises

CPOs monitor the parking laws at many Council owned premises that are designated as off-street regulated parking areas, such as libraries, swimming pools, parks, community centres and administration centres. These locations are listed in *Subordinate Local Law No. 7.1 (Regulated Parking) 2003*.

Timed parking - periods of grace

CPOs will:

- allow a period of ten minutes grace as a courtesy in circumstances where the relevant parking time restriction is one hour or more.
- allow a period of five minutes grace as a courtesy in circumstances where the relevant parking time restriction is greater than five minutes but less than one hour.

New parking signs installed - periods of grace

CPOs shall, in the case of new timed parking control sign restrictions, allow six days grace after the date of installation of the new official traffic sign/s before enforcing the new parking restrictions. Road markings, for example yellow edge lines, are enforced immediately due to the highly visible nature of a road marking.

The installation and maintenance of parking signs and lines is the responsibility of Council's Traffic Program.

Parking on footpaths – enforcement process

CPOs generally respond to parking on footpaths and nature strips in a residential area on a complaint basis, however proactive patrols may also be conducted in high volume traffic thoroughfares or where risks to safety are observed.

A driver must not stop a vehicle on a bicycle path, footpath, shared path or dividing strip, or a nature strip adjacent to a length of road in a built-up area, unless the driver is permitted by a parking control sign.

A footpath means an area open to the public that is designated for, or has as one of its main uses, use by pedestrians.

For the purpose of this guideline, a footpath may comprise of:

- a defined/formed cement, bitumen or paved footpath (these areas have been designed and installed specifically for use by pedestrians).
- a grass, dirt or gravel area on the nature strip for use by pedestrians

A *residential area*⁴ is a district where people live; occupied primarily by private residences.

CPO guideline:

1. Vehicle stopped on a defined cement, bitumen or paved footpath - in a built up area:

- Issue an infringement notice.

⁴ www.vocabulary.com/dictionary/residential%20area

2. Vehicle stopped on a grass, dirt or gravel area on the nature strip - in a built up area:

- Issue a warning in the first instance (no warnings for heavy vehicles).
- Re-inspect after 24 hours.
- If the offence is continuing or the vehicle reoffending - an infringement notice is issued.

Note 1: A vehicle stopped on the nature strip which is not parked parallel, may receive an infringement notice in the first instance.

Note 2: The QPS may administer the law differently.

Parking pads on nature strips

Council installs parking pads on nature strips as an addition to street parking. The parking pads are designed so that no damage occurs to the road infrastructure services. Parking pads are in place for a number of reasons including when there is a cycle lane on the road and there is no available parking on the shoulder of the road.

Parking pads are not specific to any particular residence and may be utilised by any registered vehicle.

Vehicles that do not park on the provided parking pads may receive an infringement notice.

Vehicles parked on a parking pad must be parked parallel or, if the parking pad is designed for angle parking, parked in accordance with the angle design of the parking pad. Vehicles not parked correctly

may be issued with an infringement notice.

Vehicles parking partially on parking pads where any part of the vehicle overhangs or obstructs access to a formed footpath may receive an infringement notice.

Example of parking pad



Marked footway parking

Marked footway parking is a form of parking where a vehicle parks partly on the road and partly on the formed footpath in a marked parking area, e.g. Moss Street, Slacks Creek. This process may be located in a busy commercial area or if there is no safe option for a vehicle to park on a road and where there is at least one side of the footpath area where a marked footway parking option may be viable.

Vehicles parked across the marked footway may receive an infringement notice.

Example of a marked footway



Parking on the shoulder of a road - no formed kerb

CPOs investigate vehicles parking on the shoulder of the road, where there is no formed kerb, using the following enforcement guideline.

Parking parallel next to a sealed road, without a kerb, is generally permitted unless it impedes the safe pedestrian thoroughfare between the sealed road and the property boundary. Vehicles should not park if the parking is likely to cause damage to infrastructure or create a hazard for other road users. A pedestrian space of a minimum of 1.2 metres should be left adjacent to the vehicle at all times.

Example of shoulder of road



Parking on the shoulder of a road - separated by bollards

When the shoulder of the road has no formed kerb, and the shoulder and the nature strip are separated by bollards or a similar structure, no enforcement action will be taken where vehicles are parked parallel on the road side of the bollards.

Example of a shoulder of road separated by bollards



Restricted road parking

On roads where vehicles are parked parallel on both sides of the road, drivers of parked vehicles must leave a space of at least three metres clearance between their vehicle and any vehicle parked on the opposite side of the road.

Where a parked vehicle is causing an obstruction and there is less than three metres clearance, enforcement action may be taken against the owner or driver of the vehicle parking second if this can be established.

Heavy Vehicle Parking

Council's *Local Law No. 7 (Parking) 2003* specifies that a heavy vehicle (gross vehicle mass of 4.5 tonnes or more) must not park on a road in a built up area, or in a public place, for more than one hour unless the vehicle is engaged in the delivery or collection of goods, materials or passengers to properties abutting the road or to the public place for the entire period.

Other exceptions from the law apply to:

- emergency vehicles and heavy vehicles involved in a public utility undertaking
- a class of heavy vehicle specified in a subordinate local law
- in the event of a breakdown — to effect minor repairs sufficient to permit removal to a place where the heavy vehicle may be lawfully parked, or to allow the heavy vehicle to be towed, if needed
- in accordance with an official traffic sign
- in an excepted area.

Council has set aside a number of roads and areas in the city where the driver of a heavy vehicle may park for unlimited time, provided they comply with other parking sign restrictions. Those areas are specified in Schedules 2 and 3 of *Subordinate Local Law No. 7.2 (Heavy Vehicle Parking on a Road) 2003*.

Council Officers respond to heavy vehicle parking matters on a complaint basis as follows.

- Upon a first complaint, Council provide the vehicle owner or driver with education and awareness materials comprising of an advice letter, fact sheet and maps of locations where the heavy vehicle may be parked for longer than one hour.
- A second complaint will, upon verification, result in the issue of a compliance notice to the owner or driver of the heavy vehicle requiring compliance with the local law by a specified date.
- A third complaint will, upon verification, result in the issue of an infringement notice to the owner or driver of the heavy vehicle. Further offences may result in prosecution.

A heavy vehicle parked on a footpath or nature strip will be issued with an infringement notice without a complaint or prior warning as such activity may cause damage to the footpath, infrastructure and underground services.



Specific Parking Strategy - Narrow Roads

This strategy relates to how parking enforcement is conducted on narrow roads. A narrow road is where the carriageway is less than six metres in width. The carriageway is the part of the road which vehicles travel along.

The width of six metres has been determined on the basis that larger vehicles are up to 2.5 metres wide, noting that vehicles are not always parked with their wheels hard up against the kerb and that vehicle side mirrors extend from the vehicle. It is important for community safety and the provision of essential services that sufficient driving space exist on narrow roads for the safe passage of emergency vehicles (e.g. police, fire, ambulance, SES) and service vehicles (e.g. garbage, water, electricity, etc). The six metre width allows for a vehicle to safely and legally park on the road and for another vehicle to safely pass.

On a narrow road, it is not always possible for vehicles to park parallel on the side of the road and for vehicles to safely pass. To ensure the safe passage of vehicles on narrow roads where parallel parking applies, a person parking a vehicle must:

- park at least 3 metres from any continuous dividing line, dividing strip or splitter island; and
- park so there is at least 3 metres of the road alongside the vehicle that is clear for other vehicles to pass.

In the administration of the *Queensland Road Rules*, CPOs may enforce parking laws in the vicinity of splitter islands, narrow roads and their associated footpaths and nature strips with discretion. When seeking a practical solution to parking on narrow roads, CPOs may use their discretion and not enforce some parking rules under some circumstances.



The table below presents the guidelines on what action may be taken in relation to a road that is deemed to be narrow.

Nature strip parking – roads less than six metres

Where there is no option to safely park on a road in the immediate area, and there is no formed footpath, no enforcement action will be taken against vehicles parked on the nature strip area so long as reasonable space, of a minimum of 1.2 metres, is available for mobility and pedestrian access and postal vehicle access to mailboxes. Vehicles must not park over or obstruct public utilities covers. The risk of damage to road infrastructure will be considered however road safety is paramount.

Partial nature strip parking – roads less than six metres

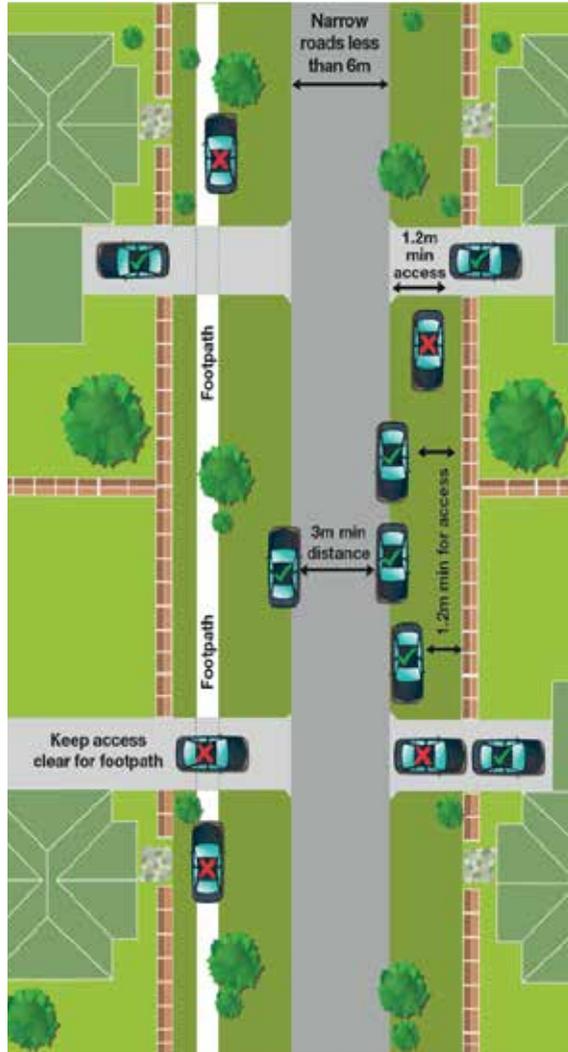
Partial footpath parking is a form of parking where a vehicle parks partly on the street and partly on the footpath or nature strip. This is an alternative option for narrow roads where there is no safe option for a vehicle to park on a road and where there is at least one side of the nature strip or footpath area where a partial footpath parking option may be viable. No enforcement action will be taken against vehicles parked partially on the nature strip area so long as reasonable space, of a minimum of 1.2 metres, is available for mobility and pedestrian access and postal vehicle access to mailboxes. Parking enforcement should be at the discretion of the CPO.

Enforcement of road parking

Assessment of the road layout has determined there is sufficient space to legally park vehicles on the road, in a practical manner, allowing at least 3 three metres clear roadway beside the vehicle. In these locations parking enforcement shall occur.

CPO Guide

The following diagram may be used as a guide by CPOs in the use of discretion when inspecting vehicles parked on narrow roads and deciding on enforcement action.



Parking Infringement Notice Review

Internal Review

The recipient of an infringement notice may seek an internal review of the matter as a step of procedural fairness. This allows a person to inform Council of any defences, exemptions from the law, errors on the infringement notice or extraordinary circumstances that they believe may have existed at the time the infringement notice was issued, for consideration by Council.

The review process does not negate nor detract from the option to have the matter heard in a magistrate's court, however, a court election must be lodged within 28 days of the date of issue of the infringement notice. The recipient of the infringement notice should be aware that if they choose to have an internal review, the 28 day timeframe may expire before the decision date of the review. On these occasions, this timeframe may negate the option for a court election if the recipient does not agree with the internal review decision. Council endeavours to finalise reviews of infringement notices within 28 days of receipt of the application however this timeframe may vary dependant on circumstances.

Lodging the request for a review

A person seeking the review of an infringement notice should read the request for review guidelines beforehand.

For further information about lodging requests for a review, visit Council's website - **www.logan.qld.gov.au** - and search under 'Laws and Permits' and then select 'Fines'.

The request for review must be submitted by the person issued with the infringement notice. For vehicle related offences, in most cases this will be the owner of the vehicle unless a user declaration has been supplied and another responsible person has been nominated as the driver.

The request will be reviewed by a delegated officer of Council. The recipient of the infringement notice must lodge the request for review in writing within 28 days from the date the notice was issued.

Providing evidence or additional information for your review

To help Council decide the case, it is important that the person provides sufficient supporting evidence when they lodge the request for review.

Depending on the type of infringement notice issued, you should try to include (where applicable):

- The grounds of any legal defence, exemption from the law, exceptional circumstances or error on the infringement notice
- Photographs or diagrams showing the exact location of the incident
- Vehicle repair invoices, spare parts or towing receipt
- A copy of a valid parking permit or disability parking permit
- A copy of a parking ticket or receipt
- A Statutory declaration from a witness. The form can be obtained from www.courts.qld.gov.au
- Written advice or a crime report from the QPS
- The infringement notice or a photocopy. If you don't have this, provide the infringement notice number or the vehicle registration number
- Date and time of the incident.

Options after local review

After the review is finalised Council will send a letter to the applicant's postal address to let them know if the fine stands or if it has been withdrawn. This will be Council's final decision on the matter.

If the fine stands after the review, the options for the person will be:

- Pay the infringement notice in full to resolve the matter
- Apply to make payments by instalment - for an infringement notice penalty of \$200 or more
- Elect to have your case heard in the magistrate's court.

Definitions / Glossary

ANPR	Automated Number Plate Recognition
CPO	Community Parking Officer
LCC	Logan City Council
PIN	Parking Infringement Notice
QPS	Queensland Police Service
RIP	Road Infrastructure Planning Branch of Council
Road Rules	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009</i>
SPER	State Penalties Enforcement Registry
TMR	Department of Transport and Main Roads
TORUM	<i>Transport Operations (Road Use Management) Act 1995</i>

Alignment to the *Strategy for Road Safety in the City of Logan 2017-2021*

Illegal manoeuvres and disobeying traffic and road rules signs

For moving violations, this is a significant contributor to serious injuries and fatalities in the City as described in the *Strategy for Road Safety in the City of Logan 2017-2021*, Action Plan 2.

Parking contrary to official traffic signs, especially in school zones and prohibited parking areas, increases the risk to the safety of drivers and pedestrians. This will be addressed through education and parking enforcement action plans.

	Area	Action	Agency	Timeframe	Outcomes
2.3.1	Business/commercial areas - timed parking	Daily patrols and enforcement	LCC	Ongoing	Safety and parking availability
2.3.2	Disability parking areas - on-street	Daily patrols and enforcement	LCC	Ongoing	Increased support for the disability community
2.3.3	General official traffic sign enforcement	Daily patrols and enforcement	LCC	Ongoing	Safety and parking availability
2.3.4	Narrow roads	Apply narrow road strategy	LCC	As required	Safety and parking availability
2.3.5	Off-street parking areas - Council premises	As required	LCC	Ongoing	Safety and parking availability
2.3.6	Off-street regulated parking areas - disability parking	Inspections at shopping centres subject to agreements	LCC	As required	Increased support for the disability community
2.3.7	Residential footpath parking	Response to customer requests	LCC	Ongoing	Access for local residents and visitors
2.3.8	Traffic areas	Daily patrols	LCC	Ongoing	Access for local residents and businesses
2.3.9	Development, publishing and issue of educational materials	Education, awareness and advice for minor breaches	LCC	Ongoing	Education of drivers

Parking safely around schools

Safety around schools and the surrounding environment is important to the community. This action plan aligns to the intent of the *Strategy for Road Safety in the City of Logan 2017-2021*, Action Plan 6.

Area	Action	Agency	Timeframe	Outcomes	
6.10.1	Conduct analysis of school zone using available data	Analyse LCC complaints and infringement notices issued and QPS traffic incident data	LCC	Annually	Prioritise schools for proactive enforcement
6.10.2	Conduct proactive parking enforcement of school zones	School education through enforcement	LCC	School term	Safer roads around schools for the community
6.10.3	Conduct reactive parking enforcement	Respond to public complaints	LCC	School term	Prioritise schools for reactive enforcement
6.10.4	Identify official traffic signs or road markings in need of repair or replacement	Assess official traffic signs and road markings in school zones on an ongoing basis	LCC	Ongoing	Traffic signs and road markings clearly visible to drivers and pedestrians
6.10.5	Identify and recommend amendments or additions to official traffic signs and road markings	Make recommendations on changes for the betterment of parking around schools	LCC	Ongoing	Safer access to school parking for the community
6.10.6	Continual improvement strategies	Continue to investigate opportunities for various safe school strategies	LCC	Ongoing	New strategies to help make schools a safer environment

Disclaimer: This guide outlines how Logan City Council officers may administer the *Queensland Road Rules* and other parking laws in certain circumstances. These laws may also be administered by the Queensland Police Service but in a different manner to Logan City Council. Ultimately, the driver of a vehicle is responsible for how the vehicle is parked.



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