



Ordinary Council

LATE REPORTS

Business Paper

date of meeting: Wednesday 12 December 2018

location: Council Chambers
17 Burrawan Street
Port Macquarie

time: 5.30pm

Community Vision

A sustainable high quality of life for all

Community Mission

Building the future together
People Place Health Education Technology

Council's Corporate Values

- ★ Sustainability
- ★ Excellence in Service Delivery
- ★ Consultation and Communication
- ★ Openness and Accountability
- ★ Community Advocacy

Community Themes

- ★ Leadership and Governance
- ★ Your Community Life
- ★ Your Business and Industry
- ★ Your Natural and Built Environment

How Members of the Public Can Have Their Say at Council Meetings

Council has a commitment to providing members of the public with an input into Council's decision making. The Council's Code of Meeting Practice provides two (2) avenues for members of the public to address Council on issues of interest or concern at the Ordinary Council Meeting.

These are:

- Addressing Council on an Agenda Item (if the matter **is** listed in the Council Business Paper)
- Addressing Council in the Public Forum (if the matter **is not** listed in the Council Business Paper)

You can request to address Council by completing the:

- 'Request to Speak on an Agenda Item' form
- 'Request to Speak in the Public Forum' form

These can be obtained from Council's Offices at Laurieton, Port Macquarie and Wauchope or by downloading it from Council's website.

Requests can also be lodged on-line at:

<http://www.pmhc.nsw.gov.au/About-Us/How-Council-Works/Council-Committee-Meetings/Request-to-speak-on-an-Agenda-Item>

<http://www.pmhc.nsw.gov.au/About-Us/How-Council-Works/Council-and-Committee-Meetings/Request-to-speak-in-a-Public-Forum>

Your request to address Council must be received by Council no later than 4:30pm on the day prior to the Council Meeting.

- Council will permit no more than two (2) speakers 'in support of' and two (2) speakers 'in opposition to' the recommendation on any one (1) Agenda Item.
- A maximum of five (5) speakers will be heard in the Public Forum.
- There is no automatic right under legislation for the public to participate in a Meeting of Council or a Committee of Council.
- For a member of the public to be considered to address Council they must agree to strictly adhere to all relevant adopted Council Codes, Policies and Procedures at all times.
- Consideration of items for which requests to address the Council Meeting have been received will commence at 5:30pm.
- When your name is called, please proceed to the Council Table and address Council.
- Each speaker will be allocated a maximum of five (5) minutes to address Council. This time is strictly enforced.
- Councillors may ask questions of a speaker following an address. Each answer, by the speaker to a question, is limited to two (2) minutes. A speaker cannot ask questions of Council.
- An Agenda Item will be debated by Council following the address.
- Council will not determine any matter raised in the Public Forum session, however Council may resolve to call for a future report.
- If you have any documentation to support your presentation, provide two (2) copies to Council by 12 noon on the day of the Meeting.
- If a speaker has an audio visual presentation, a copy of the presentation is to be provided to Council by 12 noon on the day of the Meeting.
- The following will **not** be considered in the Public Forum (in accordance with the Code of Meeting Practice, clause 2.14.14):
 - Proposed or current development and rezoning applications and related matters.
 - A third (3rd) or subsequent application by a single member of the public to address Council on the same issue in the same calendar year. Council, at its discretion, may elect to exempt representatives or members of community groups from this restriction.
 - Any formal procurement process, contract negotiation or dispute resolution being undertaken.
 - Any matter the General Manager (or their delegate) considers inappropriate for discussion in the Public Forum.
- Council accepts no responsibility for any defamatory statements made by speakers.
- Members of the public may quietly enter and leave the Meeting at any time.

Ordinary Council Meeting

Wednesday, 12 December 2018

LATE REPORTS

Items of Business

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4 Your Natural and Built Environment

What we are trying to achieve

A connected, sustainable, accessible community and environment that is protected now and into the future.

What the result will be

We will have:

- Effective management and maintenance of essential water, waste and sewer infrastructure
- A community that is prepared for natural events and climate change
- Sustainable and environmentally sensitive development outcomes that consider the impact on the natural environment
- Accessible transport network for our communities
- Infrastructure provision and maintenance that meets community expectations and needs
- Well planned communities that are linked to encourage and manage growth
- Accessible and protected waterways, foreshores, beaches and bushlands
- An environment that is protected and conserved for future generations
- Renewable energy options that are understood and accessible by the community

How we will get there

- 4.1 Provide (appropriate) infrastructure and services including water cycle management, waste management, and sewer management
- 4.2 Aim to minimise the impact of natural events and climate change, for example, floods, bushfires and coastal erosion
- 4.3 Facilitate development that is compatible with the natural and built environment
- 4.4 Plan for integrated transport systems that help people get around and link our communities
- 4.5 Plan for integrated and connected communities across the Port Macquarie-Hastings area
- 4.6 Restore and protect natural areas
- 4.7 Provide leadership in the development of renewable energy opportunities
- 4.8 Increase awareness of issues affecting our environment, including the preservation of flora and fauna



Item: 12.15

Subject: NSW PARKING FINES CONCESSION SCHEME

Presented by: Development and Environment, Melissa Watkins

Alignment with Delivery Program

1.5.1 Manage Council's financial assets and provide accurate, timely and reliable information.

RECOMMENDATION

That Council:

1. **Not opt into the new parking fine concession fee scheme at this time.**
2. **Give consideration to the implications of opting into the scheme at a later opt in date in conjunction with development of the draft 2019/20 Operational Plan.**
3. **Request the General Manager undertake community engagement in February 2019 regarding the proposed scheme.**
4. **Request the General Manager to advise the NSW Treasurer of Council's determination in this matter.**

Executive Summary

In June 2018 the NSW Government announced plans to make parking fines fairer for residents across NSW. As the first step in this initiative the Government reduced a range of State Government issued parking fines by 25%.

Council received advice from the Hon Dominic Perrottet MP NSW Treasurer and Minister for Industrial Relations on 30 November 2018 regarding the regulatory changes necessary to allow Council's to reduce their parking fines as well.

Under the new framework, Councils can reduce their parking fines from \$112 to \$80. These concessions do not however apply automatically. To make this change Council's must opt in, by advising the Treasurer in writing by 1 January 2019.

Council's that opt in by 1 January 2019 to reduce their fines will be recorded in the relevant regulation, which will then be gazetted by Government and will be able to charge the lower fine amounts from 1 March 2019. A list of Council's who have opted in will be made public after 1 January 2019.

This report considers the preliminary financial impact to Council of opting in and adopting the reduced fee of \$80 and recommends that Council determine not to opt in to the parking fine concession scheme at this time in order to further consider the potential financial implications of the proposed scheme and provide an opportunity for the community to be consulted about the proposed scheme and its impacts.

Discussion

Council received advice from the Hon Dominic Perrottet MP, NSW Treasurer and Minister for Industrial Relations on 30 November 2018 regarding the regulatory changes to allow Council's to reduce parking fines. Councils are currently unable to reduce parking fines.

Under the new framework, Councils can reduce their parking fines from \$112 to \$80. These concessions do not however apply automatically. To make this change Council's must opt in, by advising the Treasurer in writing by 1 January 2019.

Council's that opt in by 1 January 2019 to reduce their fines will be recorded in the relevant regulation, which will then be gazetted by Government and they will be able to charge the lower fine amounts from 1 March 2019. A list of Council's who have opted in will be made public after 1 January 2019.

If Council does not opt in by 1 January 2019, there will be further opportunities to opt in at a later dates in 2019 as shown in the attached letter from the NSW Treasurer. The next available opt in period is 1 April 2019 for commencement on 1 June 2019.

The attached letter also outlines the fines that would be affected by the proposed change, being 52 level parking fines in total.

The current arrangements for parking fines to be indexed annually will also continue.

In addition to the parking fine concessions the NSW Treasurer has advised that the Government will be introducing changes to the "grace period" for certain parking offences, commencing on 31 January 2019.

These changes will introduce a 10 minute grace period for paid parking of more than one hour. This is required to be implemented by all parking authorities from 31 January 2019.

A grace period is very common practice applied by parking authorities, however the Government's initiative will only be required at this stage for paid parking facilities and areas.

Parking regulation plays an important role in maintaining order and safety as well as ensuring adequate parking and parking turnover especially in commercial areas. Parking controls can especially discourage long term parking in busy commercial areas to ensure customers have access to parking within proximity of shops and services.

The advice from the NSW Government is however that at present, "parking fines in NSW are much higher than in many cities in Australia and overseas, including Melbourne, Brisbane, London and New York."

While the intent of the fine reduction is acknowledged, it is considered that there has been not been sufficient consideration given by the government to the potential impact on commercial areas or time provided for Council to adequately assess the financial impacts nor undertake consultation with the community regarding these potential impacts.

For instance, from available estimates based on the last financial year where Council issued approximately 1923 parking fines with an approximate income of \$215,000 based on the \$112 fine, it is anticipated that with the reduced \$80 fine there would be a reduction in income to \$154,000 which equates to a reduction of \$61,000 per annum approximately.

Accordingly, given the potential impacts and the limited time provided to consider the impacts, it is recommended that Council decline to opt in at this point in time and undertake this review and consultation before giving further consideration to opting in to the scheme.

Options

Council has the following options:

1. Opt into the parking fine concession fee scheme.
2. Not opt into the parking fine concession fee scheme.
3. Not opt into parking fine concession fee scheme at this time and review this position during a future opt in period, the next being; 1 April 2019 for commencement on 1 June 2019.

Option 3 is recommended for adoption, as this approach would allow consideration of the financial impact on Council in conjunction with preparation of draft 2019/20 Operational Plan and provide an opportunity for consultation with the community to be undertaken.

Planning & Policy Implications

There are no planning and policy implications in relation to this report.

Financial & Economic Implications

There will be an associated financial impact to Council should it wish to opt into the concession scheme with a resultant reduction in revenue generated from parking fines.

In the 2017/18 financial year, the total number of timed parking fines issued was approximately 1923, with a total revenue in the order of \$215,000. The proposed concession being a \$32 reduction in the fine from \$112 to \$80 would result in an approximate reduction in income of approximately \$61,000 to \$154,000.

Attachments

- 1 [View](#). Letter from the NSW Treasurer re Parking Fine Concessions