



POLICY

POLICY NO.	CPLE1
POLICY TITLE	Boat Trailer Parking Policy
STATUS	Council
SERVICE	Laws and Enforcement
DOCUMENT ID	474592

PURPOSE

The purpose of this policy is to enable Council to effectively manage and regulate the use of parking spaces in regards to boat trailers within the Local Government Area (LGA).

In implementing this policy, Council aims to minimise the use of residential streets for boat trailer parking and enable Council to improve the management of this type of parking while encouraging the use of off-street storage.

The changes to the Impounding Act 1993 will give Council's Regulatory Team more appropriate legislation to manage the parking of boat trailers. In the past the Regulatory Team could not act on boat trailers that had been parked on Council's roads for extended periods of time. This had a major impact on amenity of the local area and in some circumstances, the safety of road users.

SCOPE

This policy will cover:

- Laws and regulations regarding the period of time owners have their boat and or boat trailer parked in one location before they are required to move it to a new parking location.
- Impounding of boat trailers when they have exceeded the days allowed.

This policy does not apply to the following:

- Residents who have their boat trailer parked in the immediate vicinity of their residence.

DEFINITIONS

Term	Definition
Boat Trailer	Refers to the boat trailer and or a boat that may be being stored on the trailer
Immediate Vicinity	The area of road or road related area between the property boundaries of the boat trailer owner/users residence only. The trailer must be parked wholly within this area.

POLICY STATEMENT

PART 1 BACKGROUND

There have been a number of boat trailers that have been occupying parking spaces on residential streets for extended periods of time in the LGA. Council has also found that non-residents boat trailers have occupied spaces in the LGA. Complaints have also been received from the community because of a lack of parking in some areas and also due to safety concerns such as reduced visibility for road users due to boat trailer parking.

North Sydney, Lane Cove, Willoughby and Ku-ring-gai Councils have all adopted the Act therefore it is proposed that Hunter's Hill Council adopts a consistent position in implementing this policy to ensure that Council has the regulatory powers to issue directions to move or relocate a boat trailer that is parked in an inappropriate location.

This policy only relates to boat trailers under 7.5 metres in length. If a boat trailer is 7.5 metres or longer the registered owner/user is only permitted to park for a maximum time period of 1 hour on the roadway as the vehicle is classified as a long / heavy vehicle under Section 200 of the Road Rules 2014 and by law cannot be parked on residential streets for longer than 1 hour.

If adopted owners will either need to move their boat trailer every 28 days, park their boat trailer in their immediate vicinity or off-road. This policy also encourages boat owner/users to follow laws and regulations placed by the government to free up the residential streets and allow parking for residents in the LGA.

In addition under the Impounding Act Council may also take impounding action in relation to all vehicles, including boat trailers, if an officer believes on reasonable grounds that it has been abandoned or left unattended, is causing an obstruction to traffic or is likely to be in danger to the public.

PART 2 POLICY EXPLAINED

Under this policy, boat trailers are to be restricted from parking on residential streets in the one location for more than 28 days or offending boat trailers that are not moved will be impounded.

Under the Boat Trailer Impounding Act 2015, boat trailers have to be moved every 28 days. They must be towed past the nearest cross street.

The only exception to this is owners who park their own boat trailer outside their home or in the "immediate vicinity" (see part 3 below) as Council officers have discretion when enforcing the law and will not penalise people who park the boat outside their own home.

If it is not possible to park your boat outside your own home you need to find somewhere off the street you can park it if you wish to store it for longer than 28 days, such as a private property or a commercial storage area.

Under the Boat Trailer Impounding Act 2015, boat trailers have to be moved every 28 days. They must be towed past the nearest cross street.

If a boat trailer is found not parked outside its owners residence for more than 28 days the owner is notified by mail that they have fifteen (15) days to move the offending boat trailer. When this fifteen (15) day period

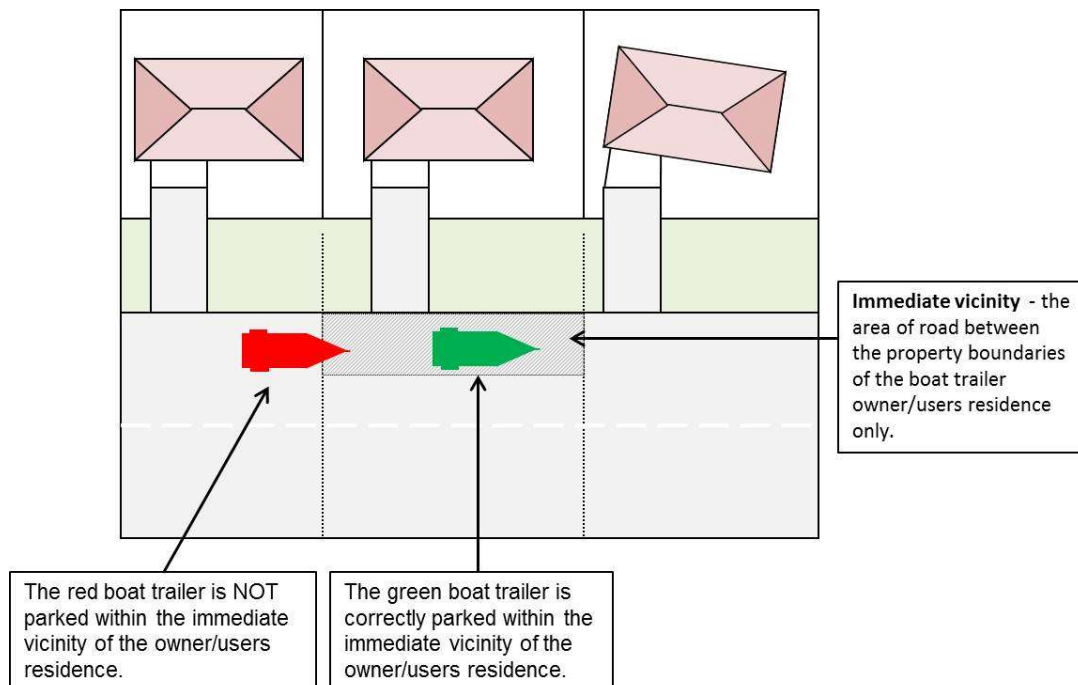
expires the boat trailer is stickered giving notice that it will be removed within three (3) days. After this time Council has the right to impound the vehicle.

In addition to the above if the Officer considers a boat trailer to have been left in a state of disrepair or neglect then the officer may refuse to offer a concession under this guideline and may determine that the boat trailer must be moved or repaired.

PART 3 BOATS IN IMMEDIATE VICINITY

If a boat trailer is parked directly outside the home of their owner it is considered to be in the owners "immediate vicinity" which means the boat trailer can be parked for longer than 28 days.

The diagram below indicates that the green boat is correctly parked within the immediate vicinity of the owners residence while the red boat is NOT parked within the immediate vicinity of the owners residence and can be impounded if not moved after 28 days.



In special circumstances, where it would be difficult for an owner to park a boat trailer outside their home or in the "immediate vicinity" (see part 2 above), Council officers discretion may extend the "immediate vicinity" to include part of one (1) adjacent property, under the following situation, to address:

- (a) Traffic sight lines and the property,
- (b) Traffic calming devices and the property,
- (c) Road reserve geometry and the property,
- (d) Street trees and the property, and
- (e) A property's frontage geometry.

In the special circumstances situation, authority from Council is required by the owner of the boat trailer to park the trailer in the "immediate vicinity". The owner of the boat trailer will notify Council in writing of the special circumstances and supply details of the situation. Council will advise the owner in writing before the boat trailer may be parked under the special circumstances.

Where it is proposed to use part of one (1) adjacent property in the “immediate vicinity”, all owners of the one (1) adjacent property must provide written permission to park the owner’s boat trailer in front of their property for a maximum of 4 years, at which time the situation will be reviewed. If either the owner’s property or the adjacent property is sold within that 4 year period, the special circumstance boat trailer parking authority will terminate and must be addressed with the new owners.

Considering of a request to park a boat trailer under special circumstances is at the discretion of Council officers.

PART 4 IMPOUNDING PROCEDURE

The impounding procedure for the removal of unattended boat trailers parked longer than 28 days is outlined below.

Unattended boat trailers are classified as;

- not being parked in the **immediate vicinity** of the home of the boat owner;
- having impacts on limited parking in high density areas such as multi-storey unit dwellings;
- being left unattended in and around waterways or boat ramps;
- being left in an unsightly state of disrepair or neglect.

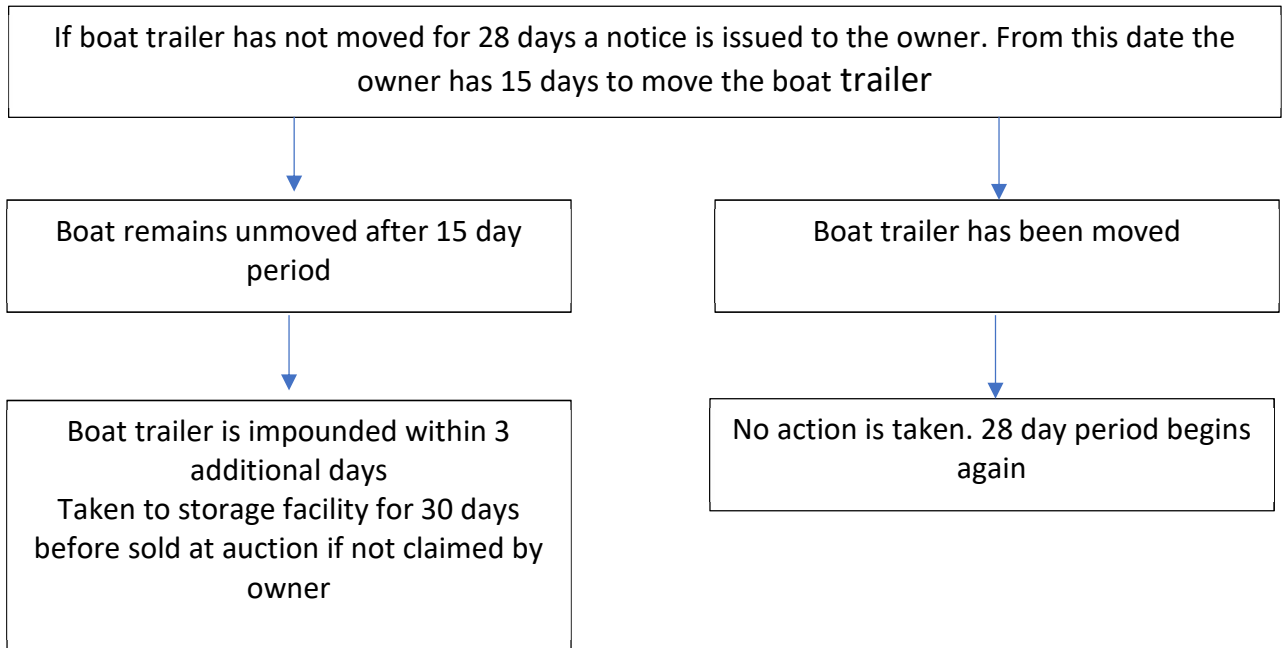
Council Rangers will initially try to contact the owner in writing explaining the owner has fifteen (15) days to move the boat trailer.

If the boat trailer is not moved Council officers will then sticker the trailer giving notice that it (and any boat it is storing) will be removed within three (3) days and impounded.

Once a boat trailer (and boat) it is impounded and is taken to a storage facility. If an owner claims their boat and trailer within thirty (30) days a \$1,500.00 fee must be made to Council before it is released back to the owner.

If the boat trailer is not retrieved by the owner/nominated person after 30 days, the boat and trailer is then auctioned with any commission being paid to Council to cover its costs.

It should be noted that the 28 day period restarts as soon as a boat is moved.



RELATED RESOURCES

Roads Act
 Impounding Act 1993 Section 15A, 16

POLICY OWNER

This policy is owned by the General Manager/Development & Regulatory Services.

AUTHORISATION AND REVIEW

The policy authority is the General Manager.
 This policy is to be reviewed in 2024 or with any changes to relevant legislation or council policies.

Version Control Table

Date	Version	Res. No.	Key Changes	Author
11/05/20	1.0	[085/20]	Adoption of policy	Steve Kourepis
20/6/2022	2.0	123/22	Amendment to the period of storage	John Tsiros