

<b>Circular Details</b>	Circular No 16-09/ 6 April 2016/ A471509
<b>Previous Circular</b>	14-31
<b>Who should read this</b>	Councillors / General Managers / Compliance Staff
<b>Contact</b>	Policy Team / 02 4428 4100 / <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
<b>Action required</b>	Council to Implement

## Phase in of new powers to help manage boat trailer parking

### What's new or changing

- The *Impounding Act 1993* will now be amended by the *Impounding Amendment (Unattended Boat Trailers) Act 2015* from 1 July 2016, allowing councils and impounding authorities to 'opt in' to take impounding action against boat trailers parked for more than 28 days.
- To ensure that the effectiveness of the initial implementation is thoroughly assessed, the Office of Local Government (OLG) has invited three council areas where unattended boat trailers are of concern to participate in a program to pilot the new measures.
- From 1 October 2016, additional councils that have appropriately consulted with their communities may commence implementation of the measures in nominated areas. This will draw upon the lessons from the pilot to ensure effective implementation.
- Councils requiring additional time for community consultation may begin in early 2017.

### What this will mean for your council

- Once the changes to the Act come into effect, councils and other impounding authorities can apply the new measures to all or part of their operational area. This provides flexibility to meet the specific needs of different communities.
- Councils will publish in the NSW Government Gazette the areas where the measures apply.
- Between 1 July and 30 September 2016, three councils have been invited to implement the new measures as part of a pilot program. OLG will host a workshop for these councils in order to establish a common approach to enforcement, establish an evaluation framework to capture learnings from the early implementation and facilitate a coordinated approach to implementation.
- Councils wishing to commence implementation from 1 October 2016 should apply to the Office of Local Government by 31 May 2016 and provide assurance that they have undertaken community consultation.
- Councils that have asked for extensions of time to consult their communities will now have until 1 October 2016 to notify the Office of Local Government, with enforcement to begin in their gazetted areas in early 2017.

### Key points

- This change is to enable councils to improve the management of boat trailer parking on residential streets and encourage the use of off-street storage.
- Three councils have been invited to pilot the implementation of the new measures from 1 July 2016.
- Other councils wishing to “opt in” to the provision from 1 October 2016 should consult neighbouring councils and other adjacent authorities as well as their local communities.
- In any area where the provisions are applied, boat trailers must move at least every 28 days at least as far as a different block section of the same street.
- Council must provide notice of at least 15 days before impounding a trailer.
- The new measure will not apply to boat trailers where a residential parking permit has been issued by council and is displayed on the boat trailer.
- This complements changes to give councils discretion to issue resident parking permits for boat trailers under Roads and Maritime Services Guidelines, and the power to issue penalty notices for unregistered vehicles.
- The Minister for Roads, Maritime and Freight, the Hon Duncan Gay MLC has set aside around \$5 million as part of the NSW Boating Now program to help deliver new boat trailer parking solutions. Transport for NSW will provide further details shortly about how councils and other organisations can apply for funding.
- Councils are encouraged to clearly communicate to residents, businesses and visitors any areas where the restriction applies.
- OLG and Transport NSW will also help to communicate key aspects of the new framework to relevant agencies, industry bodies and the public in the lead up to implementation.

### Where to go for further information

- For further information or to opt in to the new measures from 1 October 2016, councils should contact the Policy Team, Office of Local Government on 02 4428 4100.



**Tim Hurst**  
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**Office of Local Government**