

Road Transport (General) (Pay Parking Area Fees) Determination 2016 (No 1)

Disallowable instrument DI2016—14

made under the

Road Transport (General) Act 1999, section 96 (Determination of fees, charges and other amounts)

EXPLANATORY STATEMENT

Section 96 of the *Road Transport (General) Act 1999* allows the Minister to determine fees, charges and other amounts payable under the road transport legislation.

This determination sets the relevant parking fees for Territory-operated pay parking areas. Under the *Road Transport (Safety and Traffic Management) Regulation 2000*, pay parking areas fall into two categories: metered parking areas (which are established by the road transport authority under section 73(1) of the Regulation) and ticket parking schemes (which are established by the authority under section 76(1) of the Regulation).

This updated disallowable instrument does not introduce any new fee rate structures.

This updated disallowable instrument includes a small number of changes to the parking areas included:

- The inclusion of multi-stay parking in a large car park in Deakin (block 55 section 37). Whereas previous disallowable instruments stated the whole of block 55 section 37 Deakin comprising two hour pay parking (in the SS06 category), the central and southern portions of this car park have been converted in this Disallowable Instrument to multi-stay parking (in the MS04 category). The northern portion has been retained in the SS06 category
- The transfer of four on-street pay parking areas at Manuka into a less expensive short-stay category. These areas were previously 15-30 minute pay parking areas, charged at the SS08 rate of \$1.00 for 30 minutes with a meter or \$1.10 when meters were to be replaced with ticket machines. However, to ensure consistency across the Manuka precinct, these parking areas were converted to the SS06 category (\$1.60 for the first hour, pro rata) to be consistent with other on-street short-stay pay parking areas in the Manuka precinct
- An additional off-street location has been added in Braddon through the recent creation of a new block within the western verge of Mort Street near the intersection with Cooyong Street (block 11 section 19). This area has previously been the site of pay parking, and was included in the previous disallowable instrument under the title “Part of Mort Street, between Elouera Street and Cooyong Street between the Mort St road pavement and block 15 section 19 Braddon”

- A minor change has also been made to better describe on-street parking in parts of Braddon and Civic. The previous Disallowable Instrument included a portion of Mort Street between Elouera and Bunda Streets. This Disallowable Instrument splits this road segment into two, with Cooyong Street as a dividing point, as Cooyong Street forms part of the boundary between Civic and Braddon.

A Regulatory Impact Statement is not required for this determination as section 36(1)(k) of the *Legislation Act 2001* applies – amending of a fee, charge or tax consistent with announced government policy. Parking fees made by this instrument are consistent with the Government’s policies to reduce the provision of free parking, encourage greater use of sustainable transport options, and support a Smart Parking trial. All of these policies are included in the Government’s parking action plan “Building an Integrated Transport Network – Parking”, which was released in mid-2015.

This determination is a disallowable instrument and must be presented to the Legislative Assembly within 6 sitting days after its notification pursuant to section 64 of the *Legislation Act 2001*.

Outline of provisions

Section 1 – Name of instrument

This section names the instrument.

Section 2 – Commencement

This section states when the instrument commences.

Section 3 – Fees for short and multi-stay pay parking areas

This section determines the fee for parking a vehicle in a short-stay parking area or multi-stay parking area as described in schedule 1.

A list of all pay parking areas by name, location, and fees by the hour and (where applicable) part thereof, can be found in Schedule 1 of the instrument.

Section 4 – Multi-day and eligible CIT student parking tickets – effect of

This section determines that the fees in section 3 do not apply to the parking of a vehicle in a pay parking area if one of the following applies to the parking of the vehicle in the pay parking area:

- a) a current multi-day parking ticket; or
- b) a current parking ticket for an eligible CIT student.

Section 5 – Fees for multi-day parking tickets

This section determines the fee for multi-day parking tickets for the parking of vehicles in the pay parking areas indicated in schedule 2.

The changes included in this updated disallowable instrument will not affect the price of pre-paid all-day parking tickets that are usable in multi-stay ticket parking areas.

Section 6 – Eligible CIT student pre-paid ticket parking scheme

This section determines the fee for a parking ticket for an eligible CIT student for the parking of a vehicle in a pay parking area set out in schedule 3.

CIT student pre-paid tickets are available to eligible CIT students. The ticket is usable in specific multi-stay ticket parking areas only, near the Reid CIT campus and the Tuggeranong Flexible Learning Centre of the CIT.

Section 7 – Revocation

This section revokes the previous fee determination instrument (DI2015-250).

Section 8 – Dictionary

This section defines terms and phrases for this instrument.