

Australian Capital Territory

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2021 (No 2)

Disallowable instrument DI2021–250

made under the

Road Transport (Safety and Traffic Management) Regulation 2017, s 33 (Parking Authorities)

EXPLANATORY STATEMENT

Section 33 (2) of the *Road Transport (Safety and Traffic Management) Regulation 2017* (the regulation) permits the road transport authority to declare a person to be a parking authority, which may establish and operate a ticket parking scheme for any length of road or area under its control in accordance with the *Road Transport (Safety and Traffic Management) Guidelines 2020*. Section 33 (3) of the regulation provides that such a declaration is a disallowable instrument. This instrument allows the ticket parking scheme run by the declared person to be enforced under the ACT's road transport legislation.

This declaration is made to support the parking authority arrangements for Rural Block 73 in the District of Molonglo (the National Arboretum Canberra).

The Executive Branch Manager of the National Arboretum Canberra is considered a parking authority, replacing the *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 17)* (DI2020-73) which formally declared the position title of Senior Director of the National Arboretum Canberra as the parking authority for the National Arboretum. As the Senior Director position has been abolished, the declaration is updated to reflect the updated position title of Executive Branch Manager.

A regulatory impact statement is not required as declaring a person to be a parking authority does not impose appreciable costs on the community or part of the community (see s 34 (1) *Legislation Act 2001*). While the operation of a ticket parking schemes can involve fixing fees for parking vehicles in an area, this is a fee being charged by a private operator as part of a commercial arrangement. The declaration itself does not impose any costs; it simply enables the enforcement of a scheme as per the provisions of the *Road Transport (Safety and Traffic Management) Regulation 2017*.

No rights contained in the *Human Rights Act 2004* are impacted by this instrument.

Clause Notes

Clause 1 names the instrument the *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2021 (No 2)*.

Clause 2 states that the instrument commences on the day after notification.

Clause 3 declares that the person from time to time occupying the position of Executive Branch Manager of the National Arboretum Canberra to a parking authority for the area of rural Block 73 (the National Arboretum Canberra) in the division of Molonglo Valley.

Clause 4 revokes the *Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 17) (DI2020-73)*.