



SOLVING NEIGHBOURHOOD PROBLEMS

Series: Solving Neighbourhood Problems

Part 8 of 12: Parking, Roads and Traffic

Nothing demonstrates the new four levels of government better than this issue. The Commonwealth provides funding for roads of a national significance, state transport authorities have overall responsibility for roads and traffic management of all substantial roads including freeways, toll-ways, highways and major residential roads, the local authority will look after all other public residential roads within their local area and strata communities, the new fourth level of government are responsible for roads within their schemes.

This responsibility brings with it all of the responsibilities for maintenance, injuries and liability for maintaining the roads and footpaths that you might expect of higher authorities. For owners corporations, there is a statutory obligation to repair and maintain common property driveways. A pothole or subsiding path is the equivalent of concrete cancer.

The future costs of repairing these internal scheme roadways are often overlooked by developers and real estate agents when selling lots. In the same way that a building should progressively save for the repair and replacement of its common property, even a townhouse scheme with internal roadways should make provision.

Regulating traffic on these roads is also the responsibility of the strata community. Proper notices about speed limits and safety measures are required as is a degree of pro-activity and consistency in policing habitual offenders of speed limits and safety measures. Reasonable rules and by-laws will help.

Parking on common property is always problematic. Clear rules and rules for the management of visitor parking bays can be effective. Some owners corporations enter in private parking agreements with council s who police these matters and may impose fines as a deterrent to repeat offenders.

In dealing with parking problems and abandoned vehicles, generally speaking, the police and local authorities will not become involved while the vehicle is on scheme land unless the vehicle has been reported a being stolen. If a vehicle is parked within a lost and not on common property, this is a matter for the lot owner and not the owners corporation to deal with.

In the war against parking, the more drastic step of pursuing a trespasser in the tribunal or court may be required to send an emphatic message that the rules will be enforced.

This is an issue on which local laws are all important. So before proceeding, ask us for one of our FAQ sheets for your state or territory.

Next Week: Part 9—Privacy, Defamation and Nuisance Calls