

WHAT IS A PPPA?

A Private Property Parking Agreements [PPPA] is a contract between the Town of Victoria Park and owners or occupiers of private property to deter illegal or unauthorised parking on private property.

SHOULD I GET A PPPA?

You may need a PPPA if unauthorised vehicles hinder owners, tenants, staff, or customers from being able to park on your property.

The PPPA enables the provisions of the Vehicle Management Local Law to extend to private land where, an authorised complainant identifies a vehicle parked in a parking facility or parking station on private land in contravention of the Town's Vehicle Management Local Laws, they can request an authorised person from the Town to issue an enforcement notice.

Once a PPPA is in place, parking officers can attend the area as part of a regular patrol or on request and will encourage compliance with parking rules and regulations. Attendance will depend on the agreement between you and the Town.

WHAT DO YOU GET FOR YOUR MONEY?

When a PPPA is in place, the Town can attend on request or by undertaking parking patrols on (an agreed basis) on private land and infringe or warn any vehicles parked either:

- a) Without permission, or
- b) Not in accordance with permission. For example, parked too long or outside marked bays.

Town Officers will provide guidance on the type and location of signage required to deter unwanted parking and, will work with you to try and develop a plan to manage your specific parking problems.

GENERAL INFORMATION

Private Property Parking Agreement:

For Council to act against vehicles that are parking without consent on private property, the property owner is required to enter into a Private Parking Agreement (PPPA) with the Council.

The Town of Victoria Park's PPA Registration Application Form follows this Information Pack. Please read *all* the conditions of the Agreement and ensure you understand them *prior* to submitting your application. Application fees are non-refundable.

Application Fee (non-refundable):

The applicable fee in relation to registering a PPPA is **\$150** per registration.

Any infringement related revenue received by the Town does not offset this fee and is used to cover the costs of administering the infringements including, reminder and final demand notices and legal action where required.

Considering applications:

On receipt of a PPPA application, the Town will contact the applicant and arrange for a property inspection to be carried out. The inspection covers a signage audit and other compliance considerations. The applicant will be required to be onsite to answer questions which may be relevant to the management of the agreement.

If you have any questions, officers are happy to discuss how agreements could work in general terms prior to submission of an application.

Agreements will only be entered into by the Town if we are sure that:

1. We can provide the service, and
2. That a **PPPA** is the most appropriate way to resolve the parking issues.

Renewals:

Applicants are required to submit a new application to renew their agreement. Please be aware that the Town does not typically send notifications to existing Private Property Parking Agreement (PPPA) holders regarding the expiration of their agreements. This practice has been adopted based on the Town's past experiences, where properties underwent changes in strata companies or were acquired by new owners who subsequently obtained control of the property.

To renew the PPPA, applicants must complete and submit a new application along with the **annual renewal fee of \$150**. It is essential for existing agreement holders to be proactive in ensuring the continuation of their parking agreement. Please be mindful that failure to reapply may result in the termination of the agreement, thereby forfeiting any associated parking privileges.

We recommend staying informed about the expiration date of your PPPA and taking prompt action to secure its renewal to avoid any inconvenience. Enforcement of a **PPPA** will not be undertaken if registration is not current.

Officer Attendance

Due to operational requirements, enforcement notices will only be issued between the hours of 8.00 a.m. and 8.00 p.m. Monday to Friday subject to the availability of staff. All other days and times are subject to the discretion of the Town of Victoria Park.

Entering a PPPA with the Town of Victoria Park does not guarantee Officer Attendance. On receipt of a request to attend an Officer will attend as soon as practicable.

Court Attendance

Most PPPA's will require a representative from the site to be a witness (authorised complainant) to the offence for an attending Officer. They will need to be onsite when the officer attends.

Should an infringement notice be contested in the Court of Petty Sessions, the authorised complainant(s) who witnessed the offence will be required to attend court as a witness. Costs for court attendance as a witness are not recoverable from the Town of Victoria Park.

N.B. Fees quoted in this document are current until 30 June 2024 and inclusive of GST

APPLICATION PROCESS

The following conditions reflect a standard agreement. Alterations and customisation of agreements is possible where required. Please speak to the Parking and Rangers team if you have any enquiries.

1. Single Landowner

The owner or their agent is to supply to the Town of Victoria Park the following:

1. A fully completed Private Property Parking Agreement Registration Application Form.
2. Copy of all pages of the current Certificate of Title.
3. A sketch plan (A4 size) indicating in detail the location of the area and specifying the number of parking bays. Details of parking bays that are designated such as Loading, Visitors and ACROD parking are required on the plan.
4. Where the landowner of the property is a company (and not an individual), a printout from the Australian Securities and Investment Commission (ASIC) is required to prove the direct link between the landowner(s) and person(s) signing authority to enter the property. The printout is to clearly show the company's name, person's name and position held in the company.
5. Letter of Authority from the landowner to the Managing Agent, providing authority for the agent to act on their behalf for all matters relating to registration and parking.
6. Payment of the required applicable fees.

1.1 Strata Titled Property

The owner(s) or their agent is to supply to the Town of Victoria Park with the following:

1. A fully completed Private Property Parking Agreement Registration Application Form.
2. Copy of all pages of the current Certificate of Title.
3. A sketch plan (A4 size) indicating in detail the location of the area and specifying the number of parking bays. Details of parking bays that are designated such as Loading, Visitors and ACROD parking are required on the plan.
4. Where the landowner of the property is a company (and not an individual), a printout from the Australian Securities and Investment Commission (ASIC) is required to prove the direct link between the landowner(s) and person(s) signing authority to enter the property. The printout is to clearly show the company's name, person's name and position held in the company.
5. A letter of authority from each owner providing authority to the managing agent and or body corporation (whichever is applicable) to act on their behalf for all purposes relating to registration and parking.
 - For Strata Titled properties with over ten (10) different owners, a copy of the minutes from the most recent AGM is required, which indicates that permission by the body corporate and or strata council is given to the Town of Victoria Park to attend the registered private property.
6. Letter of Authority from the landowner to the Managing Agent, providing authority for the agent to act on their behalf for all matters relating to registration and parking.
7. Payment of the required applicable fees.

2. Signage

All signage will be supplied by the Town, at the applicant's expense. Signs are at cost and will be confirmed with applicants prior to application.

The owner or their agent will, for the duration of the PPPA registration, display and maintain a sign(s) provided indicating that the area is private property and advising that unauthorised parking is subject to a maximum penalty of up to \$5000.00.

2.1 Installation of signs

The following criteria is to be applied when arranging installation of signs.

- Sign height** - A minimum of 2.0 m above the footpath - to avoid obstruction to pedestrians.
2.2 m above the road surface - to reduce interference from parked vehicles.

2.2 Removal of signs

Unless renewed, upon the expiration/cancellation of the PPPA, all signs will need to be removed as a valid agreement between the applicant and the Town is no longer in place.

3. Change of Ownership

Should the ownership of the property change, the new owner(s) must notify the Town of Victoria Park forthwith and complete a new registration form as outlined in Condition 1 of this document.

4. Change of Property Manager

Notification in writing is required on the applicable company's letterhead, must be received by the Town of Victoria Park with seven (7) days of this change and must state the names of both the previous and new property managers.

5. Change of Managing Agents

Any change in managing agents requires completion of the application process as outlined in Condition 1 of this document.

6. Change of Authorised Complainant(s)

Any request to change Authorised Complainants must be in writing on company letter and from the owner(s) or managing agent and addressed to the Town of Victoria Park.

Upon receipt of the written request, a renewal application form will be then sent out requiring completion and return. All changes must detail the name(s) and title of new complainants and the name(s) of those complainants(s) no longer required.

A maximum of **three (3)** complainants is ideal. However more authorised complainant can be requested where there is an identifiable need quantified. Changes to authorised complainants will not become effective until 5 days after the receipt of your request.

7. Issuing of Infringement Notices

1. The Town of Victoria Park or Authorised Agent will only issue infringement notices to vehicles parked on the property that have not received prior permission from any person associated with the property. This information must be ascertained prior to calling the Town of Victoria Park.

2. Where staff, tenants, or authorised person(s) park in bays other than those which are allocated to them, it is of a 'domestic issue and must be dealt with accordingly by the owner(s), agent or body corporate. The issuing of infringement notices is not possible in these circumstances.
3. Vehicles parked within bays designated such as **Visitors, Clients, and Customer**, will be subject to approval. Please contact the Parking and Rangers team via email admin@vicpark.wa.gov.au or call 08 9311 8111 before applying.
4. Each property will be assigned an individual PPPA registration number and the authorised complainant(s) are required to quote this number when requesting attendance from the Town of Victoria Park. Failure to quote the PPPA registration number may result in delayed attendance.
5. The authorised complainant(s) are required to meet the Town of Victoria Park's Authorised Officer at the entrance to the property and escort the Officer to the offending vehicle(s).
6. The authorised complainant will be required to fully complete and sign a PPPA witness form in the presence of the attending Officer.
7. Should the complainant fail to meet the Authorised Officer within five (5) minutes of the Officer's arrival, the Officer will depart, as an infringement notice can only be issued when the complainant is present.
8. The attending Authorised Officer retains the right to determine the appropriate action on all occasions.

8. Request to Withdraw an Infringement Notice

1. Only the authorised complainant(s) and or landowner(s) may request the withdrawal of an infringement notice which has been issued on a registered PPPA.
2. An administration fee of **\$50.00** will be charged per infringement notice if the Private Property Owner and/or Authorised Complainant request the infringement to be withdrawn.
3. The request to withdraw an infringement notice must be received in writing along with payment of administration fee(s) to the Town of Victoria Park within seven (7) days from the date the infringement notice was issued.
4. The written request must include the day of issue, state the PPPA registration number, vehicle registration number, infringement number, the reason for withdrawal and the appropriate administration fee included.

PLEASE NOTE: To avoid this fee, the Property Owner/Authorised Person should ensure that the vehicle to be issued an infringement is not entitled to be parked on the property. The Administration Fee will stand and if not paid the agreement will be cancelled.

Multiple requests for withdrawal of infringement notices may result in the PPPA being cancelled.

9. Enforcement following issue of Infringements

The Council or its Agent will attend to the following aspects of processing, enforcement, and recovery of fines and penalties, including:

- Issuing of courtesy letters.
- Issuing of final payment notices.
- Adjudicating appeals.
- Lodgement of unpaid fines with the Fines Enforcement Registry of the Ministry of Justice Western Australia.
- Issuing of summonses.
- Court action where required.

10. Termination of Agreement

Either party may terminate this agreement; by giving notice in writing at least seven (7) working days before the termination is to be take effect.

The Council may suspend this agreement, either of its own volition, or upon application by the parties to this agreement, if it has reasonable cause to do so.

PLEASE NOTE: It is advisable for all parties to retain a copy of the Private Property Parking Information Pack for future reference.

