
PARKING AND REGULATIONS

FAQs

Who is responsible for paying a parking infringement?

The owner of the vehicle is responsible for the infringement notice. If you were not driving the vehicle at the time of the alleged offence, you must provide a Statutory Declaration to Berri Barmera Council within 28 days of the notice, including the full name and address of the driver.

If the vehicle has been sold prior to the offence date, you should forward a copy of the disposal notice or a Statutory Declaration with the new owner's full name and address.

What are the parking infringement amounts?

Parking infringement amounts are set by the State Government in Regulations made under the Road Traffic Act, 1961.

[Road Traffic \(Miscellaneous\) Variation Regulations 2003 and Schedule of Fees \(in relation to infringement amounts being set by State Govt under the Road Traffic Act, 1961, Schedule 9 – Expiation Fees – Part 3\)](#)

What extra costs do I incur if the fine is not paid by the due date?

The State Government sets the reminder fee. A search fee of \$7.00 is also incurred for Council to obtain owner details from Transport SA. Registration searches from other states attract higher fees. Court costs may also be incurred if the matter goes before the Magistrate's Court.

Are there any other consequences?

Parking infringement notices do not result in demerit points against your driver's licence. However, if the matter proceeds to Court there may be other consequences if not paid including the suspension of your driver's licence or your property can be seized and sold to satisfy the amount owing.

Who can issue infringement notices?

The following people can issue an Infringement Notice (a parking ticket):

- Any police officer.
- Berri Barmera Council Authorised Officers.

Can a parking infringement notice be issued on private property?

Infringements can be issued on private property if the owner has entered into an agreement with a Council (under the provision of the Private Parking Areas Act 1986). For example, privately owned car parks in shopping centres or business premises may be controlled by Berri Barmera Council by arrangement with the owner. These car parks all display the appropriate signage.

Can more than one ticket be issued for the same offence?

Once a vehicle has been reported for an offence and remains parked for a further period, a 'Further Offence' Notice can be issued.

If the area is subject to a time limit of less than one hour, for each period that the vehicle remains, a 'Further Offence' Notice may be issued. For example, in a 15 minute parking zone, further offences can be issued every 15 minutes after the initial Infringement Notice has been issued.

For all other parking infringements, a Further Offence Notice may be issued for each hour that the vehicle remains parked after the initial Infringement Notice.

What powers do Berri Barmera Council or the Police have to tow vehicles?

Vehicle Obstruction

If you have left your vehicle parked illegally and Berri Barmera Council or the police believe it is a danger to other road users, is likely to cause traffic congestion or obstruct access to property, they can arrange for the vehicle to be towed and stored. Vehicles cannot be towed away simply because they are causing an inconvenience to other road users.

Vehicle Not Moved for 24 Hours

Council may tow a vehicle if a complaint is received and it is established that it has not moved for 24 hours.

Specific legislation (the Local Government Act and the Road Traffic Act) permits us to tow and impound vehicles: [Local Government Act Part 3 – Anti Pollution Measures – Sections 236 and 237 & Road Traffic Act Division 9 – Miscellaneous Provisions – Section 86](#)

If you think that your vehicle might have been towed

Contact our Customer Centre on 8582 1922 first for confirmation. Make sure you have the registration number of your vehicle handy.

If you know your vehicle has been towed

Before you can recover your vehicle, you must come to Council's Office situated at 19 Wilson Street, Berri during office hours in person to prove that you are the owner of the vehicle.

You must bring your registration notice and/or your driver's licence with you to prove that you are the owner of the vehicle. We will not release the vehicle to anybody acting on your behalf unless they present a written letter of authority to collect the vehicle for the owner. You must also pay the fee charged for towing along with any storage costs incurred by Berri Barmera Council. The vehicle will not be released until the towing fee is paid (cheques will not be accepted).

We will then authorise the release of your vehicle. You will be able to collect your vehicle from Council's impounding facility. In addition to the towing fee charged, we may also have reported your vehicle for an Infringement Notice, depending on where the vehicle was parked.

Please note that storage fees for impounded vehicles increase each day. All costs of the removal and storage will be incurred by the owner.