

COMPLIANCE

Draft - Removal of Illegally Parked Vehicles Obstructing Driveways Procedure

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Contents

1. Purpose	4
2. Scope	4
3. Procedure	4
Receipt and Triage of Complaint	4
Step 1 Receive the request	4
Step 2 — Acknowledge and gather information	5
Site Attendance and Assessment	5
Step 3 — Attend the location	5
Step 4 — Assess the obstruction	5
Partial Obstruction (Road Rule 198(2))	5
Step 5 — Issue infringement	5
Complete Obstruction or Emergency	6
Step 6 — Attempt voluntary owner removal, where time and circumstances permit	6
Step 7 — Gather evidence for PSUP Act action	6
Step 8 — Place notification card on windscreen	6
Step 9 — Request authorised towing service	6
Step 10 — Notify the complainant	7
Step 11 — Notify NSW Police of the tow	7
Step 12 — Email internal confirmation	7
Step 13 — Close the Service Request	7
Stage E — Post-Tow Administration	7
Step 14 — Contractor confirms destination	7
Step 15 — Vehicle owner contacts Council	7
Step 16 — Records management	7
Step 17 — Issue Section 25 Notice and Section 26 Notification	8
Step 18 — Issue advisory letter.	8
Step 19 — Issue infringement under the PSUP Act	8
4. Decision Flow Summary	8
5. Evidence Standard	9
6. Work Health and Safety	9
7. Privacy and Records	9

8. Review	10
9. Related Documents	10
10. Version History	10

1. Purpose

This procedure sets out the operational steps Randwick City Council officers must follow when responding to reports of vehicles obstructing driveways within the Randwick Local Government Area.

It is designed to ensure a consistent, lawful and defensible response to every complaint; prioritise restoring driveway access; exercise statutory powers appropriately and proportionately; and protect the safety of officers, the community and vehicle owners throughout any enforcement or towing action.

2. Scope

This procedure applies to all staff and contractors involved in receiving, assessing, enforcing, towing, administering or reviewing driveway obstruction matters on public land, including roads and road reserves.

It should be read with the Removal of Illegally Parked Vehicles Obstructing Driveways Policy.

This procedure does not apply to a vehicle that is lawfully parked. Where a vehicle is parked near, alongside or adjacent to a driveway but is not stopped on or across it, and does not contravene any other parking restriction applying to the location, no offence has been committed and no enforcement action is available to Council. Officers are to advise the complainant of the position, record the assessment and close the Service Request.

Nor does this procedure require regulatory action where an offence is minor and technical in nature and there is no impacted party. Where a resident, owner or occupier parks on or across their own driveway and no other person's access, safety or amenity is affected, Council will generally take no action. Officers retain discretion to act where the vehicle obstructs the footpath, creates a traffic or pedestrian hazard, or affects another property, and must record the reasons for any action taken.

3. Procedure

The following steps must be followed for every report of a vehicle obstructing a driveway.

Receipt and Triage of Complaint

Step 1 Receive the request

- Customer Service will create a Service Request on receipt of a report that a vehicle is obstructing a driveway.
- Confirm the complainant is the resident, owner or occupier of the obstructed property. Council does not accept reports from third parties unrelated to the property, for example passers-by.
- If the request is anonymous or the complainant refuses to provide contact details, close the request with comments to the effect of: "Council has received your enquiry but requires

further information to action the request. Please contact Ranger Services on 1300 722 542 to provide additional details."

Step 2 – Acknowledge and gather information

The Authorised Officer, or CSO where appropriate, contacts the complainant and confirms:

- the address of the obstructed driveway;
- the complainant's name and contact number;
- whether the complainant is the resident/occupier of that property, excluding flats, units or common driveways where additional enquiry may be required;
- full details of the offending vehicle — registration number, make, model and colour;
- whether the vehicle is still obstructing the driveway at the time of the call;
- whether the complainant's own vehicle is currently trapped inside the driveway or garage, which is an emergency trigger.

Advise the complainant that Council will attend as soon as practicable; the Officer may telephone on arrival to confirm the correct vehicle; and Council will only consider towing where, in the Officer's opinion, the driveway is completely obstructed or the situation is an emergency.

Site Attendance and Assessment

Step 3 – Attend the location

- Attend the reported location as soon as practicable, prioritising emergency situations.
- On arrival, confirm the vehicle is still present and matches the description provided.
- Contact the complainant on arrival. Where the complainant is available, conduct a door knock at the complainant's property to verify the vehicle is the one causing the obstruction. Where the Officer cannot confirm the correct vehicle, do not take enforcement action and close the request with appropriate notes.

Step 4 – Assess the obstruction

The Authorised Officer assesses whether the obstruction is partial or complete, applying the definitions in the Policy:

- Partial obstruction — proceed to Step 5.
- Complete obstruction — proceed to Step 6.
- No obstruction, or complainant's vehicle parked on street and not obstructed — no further action for the day; close the Service Request with notes.
- Lawfully parked vehicle — where the vehicle is parked near, alongside or adjacent to the driveway but is not stopped on or across it and does not contravene any other parking restriction, no offence has been committed. Take no enforcement action, advise the complainant of the position and close the Service Request with notes.
- Minor and technical offence with no impacted party — where the offence is minor and technical in nature and no other person's access, safety or amenity is affected, for example a resident, owner or occupier parked on or across their own driveway, Council will generally not take regulatory action. Record the assessment and the reasons in the Service Request and close it with notes.

Partial Obstruction (Road Rule 198(2))

Step 5 – Issue infringement

- Gather evidence, including a minimum of three photographs.
- Issue an infringement notice under rule 198(2) of the Road Rules 2014 (offence code 83430) — "Stop on or across driveway or other access to or from land."

- Place the infringement on the windscreen in accordance with Council procedure.
- Advise the complainant of the outcome.
- Close the Service Request with all evidence attached.

Complete Obstruction or Emergency

Where the driveway is completely obstructed, or the situation is an emergency, the Authorised Officer will work through the following escalation ladder.

Step 6 — Attempt voluntary owner removal, where time and circumstances permit

- **Contact NSW Police.** Provide the offending vehicle registration and request that Police obtain the registered owner's contact details and contact the owner to direct them to remove the vehicle promptly.
- **Wait period.** If Police are unable to obtain contact details immediately, provide the Officer's contact number and await a return call. If no response is received within approximately one hour, follow up with Police.
- **TfNSW check.** If Police cannot provide owner contact details, the Supervisor or Regulatory Support conducts a DRIVES24, or equivalent TfNSW, ownership check.
- **Door-knock within LGA.** Where the registered owner's address is within the Randwick LGA and circumstances permit, attempt a door knock at the owner's address to request removal of the vehicle.
- **Escalate to tow.** Where the owner is outside the LGA, cannot be contacted, refuses to attend, or the obstruction continues and the situation is an emergency, escalate to Step 7.

In a genuine emergency, for example where a resident's vehicle is trapped inside the driveway and removal is time critical, these steps may be compressed or bypassed in favour of immediate action under Step 7. The decision and reasons must be recorded in the CRM.

Step 7 — Gather evidence for PSUP Act action

Evidence is to be gathered at this stage. The PSUP Act penalty is issued to the responsible person, not affixed to the vehicle, so do not issue an on windscreen fine at this step.

Minimum evidence — three photographs:

- one photograph from inside the driveway looking out toward the obstructing vehicle;
- one photograph from the street looking into the driveway showing the obstruction;
- one photograph of the front number plate clearly capturing the registration, make and colour of the vehicle.

Additional evidence may include photographs of any secondary obstruction, measurements where relevant, a written officer note describing the scene, date, time, weather and any conversations with the complainant or Police.

Step 8 — Place notification card on windscreen

- Place a Council notification card on the windscreen advising that the vehicle is about to be taken into possession under the PSUP Act, stating date and time.

Step 9 — Request authorised towing service

- Engage one of Council's authorised towing contractors under the applicable VendorPanel / RFQ arrangement. The current contractor list and contact details are maintained by the Team Leader, Parking and Ranger Services.
- If the first contractor does not answer, call the alternate contractor.
- Ask the contractor for an expected time of arrival (ETA).

Step 10 – Notify the complainant

- Advise the complainant that Council has requested the tow, provide the ETA advised by the contractor, and note that Council cannot guarantee the timeframe.

Step 11 – Notify NSW Police of the tow

Call the relevant Police station serving the Randwick LGA, for example Maroubra Police, Eastern Beaches Local Area Command, or nearest station, advising:

- that Council has engaged an authorised contractor to tow the vehicle;
- the vehicle registration, make, model, colour, and location from which it is being taken;
- the identity of the towing contractor and the intended storage/relocation point, once known.

This call, together with the formal Section 26 Notification issued after the tow, meets Council's obligations under section 26 of the PSUP Act.

Step 12 – Email internal confirmation

The Officer sends a confirmation email to the Supervisor or Regulatory Support Officer for accountability and reporting. The email must include:

- Service request number;
- vehicle details, including registration, make, model and colour;
- location of the obstruction;
- time tow was requested and contractor engaged;
- ETA advised by contractor;
- confirmation that the resident was called;
- Police station called, officer spoken to, and time of call;
- all photographs attached.

Step 13 – Close the Service Request

- Attach all photographs and notes to the Service Request.
- Close the Service Request with a clear outcome note.

Stage E – Post-Tow Administration

Step 14 – Contractor confirms destination

- The towing contractor is to notify Council by email of the address at which the vehicle has been placed immediately on completion of the tow.
- Customers may contact Council or the after-hours contact centre 24/7 to locate a towed vehicle.

Step 15 – Vehicle owner contacts Council

- **During business hours.** The CSO forwards the caller's details to rcc.rangers@randwick.nsw.gov.au and the Supervisor, Ranger Services. These officers monitor the driveways inbox and contact the caller as soon as the vehicle location is confirmed.
- **After business hours.** The after-hours contact centre contacts the on-call Ranger, who monitors the driveways inbox and contacts the caller as soon as the location is confirmed.

Step 16 – Records management

- The Regulatory Support Officer sorts and clears the inbox on the next working day. Once the Section 25 Notice has been issued, the original email requests and contractor emails are moved to the relevant TRIM folder.

Step 17 – Issue Section 25 Notice and Section 26 Notification

- **Obtain owner details** from TfNSW DRIVES24.
- **Issue a Section 25 Notice** to the registered owner, being the responsible person under the PSUP Act. The notice must comply with the form and content requirements of the PSUP Act and Regulation, including a description of the vehicle, the date and time it was taken into possession, the place it is being held, the fees payable, and information about recovery and disposal.
- **Issue a Section 26 Notification to NSW Police** confirming that Council has taken possession of the vehicle, in accordance with section 26 of the PSUP Act.

Step 18 – Issue advisory letter.

- Where a vehicle has been towed, an advisory letter may be issued to the registered owner setting out Council's process, fees incurred and how to recover the vehicle, in addition to the Section 25 Notice.

Step 19 – Issue infringement under the PSUP Act

- Once the vehicle has been taken into possession, issue the penalty notice for the relevant PSUP Act offence to the responsible person. The current penalty amount is to be applied in accordance with the PSUP Act and Regulation and recorded in Pinforce under the appropriate PSUP offence code. Officers must verify the current penalty amount at the time of issue, as penalty unit values and prescribed amounts are updated from time to time.

4. Decision Flow Summary

Situation	Action	Authority
Anonymous or third-party report	Close Request; direct caller to Ranger Services.	Council procedure.
Complainant's vehicle on street and not obstructed	No further action that day; close Service Request.	Officer discretion.
Vehicle partially obstructing driveway	Issue infringement on windscreen; no tow.	Road Rules 2014, r 198(2) – code 83430.
Vehicle completely obstructing driveway, non-emergency	Attempt Police/owner contact; escalate to tow if unresolved.	PSUP Act 2021, ss 25-26; Road Rules r 198(2).
Vehicle completely obstructing driveway – resident's vehicle trapped, emergency	Immediate escalation to tow after minimum evidence gathered; document reasons.	PSUP Act 2021, ss 25-26.
Officer cannot confirm correct vehicle	Take no action; close Service Request with notes.	Officer discretion; procedural fairness.

Situation	Action	Authority
Vehicle parked lawfully near or adjacent to a driveway, not on or across it	No offence; take no enforcement action. Advise the complainant and close the Service Request with notes.	No offence disclosed under the Road Rules 2014 or PSUP Act.
Minor and technical offence with no impacted party, for example a resident parked across their own driveway	Generally no regulatory action. Record the assessment and reasons; close the Service Request with notes.	Officer discretion; Compliance and Enforcement Policy.

5. Evidence Standard

The following minimum evidence must be captured for any PSUP Act action:

- three photographs as described in Step 7;
- date, time and GPS location of photographs;
- officer's written observations, including obstruction extent, surrounding parking and conversations with the complainant, Police and contractor;
- Service Request reference and any related correspondence;
- copy of the notification card placed on the windscreen, with a photograph sufficient;
- log of calls to Police and towing contractor, including station/officer and time.

All evidence must be uploaded to the Service Request before it is closed.

6. Work Health and Safety

- Officers must wear the issued high-visibility uniform and carry all standard PPE when attending site.
- Officers must not attempt to move or enter an obstructing vehicle other than as expressly permitted by section 25(2) of the PSUP Act for the purpose of identifying the responsible person, and only where safe to do so.
- Where a situation becomes unsafe, for example the owner returns and is aggressive, officers are to withdraw to a safe distance and call NSW Police.

7. Privacy and Records

- Complainant and owner details obtained through this procedure are personal information under the Privacy and Personal Information Protection Act 1998 (NSW) and must be handled in accordance with Council's Privacy Management Plan.
- DRIVES24/TfNSW enquiries must be conducted only by authorised staff for the lawful purpose of enforcing the PSUP Act or Road Rules.
- All records, including Service Request entries, photographs, emails and notices, are corporate records and must be retained in accordance with Council's Records Management Policy.

8. Review

This procedure will be reviewed at least every two years, or sooner where legislation, contractor arrangements or operational circumstances change. The Manager Compliance, is responsible for initiating review.

9. Related Documents

- Removal of Illegally Parked Vehicles Obstructing Driveways Policy
- Randwick City Council Compliance and Enforcement Policy
- Randwick City Council Code of Conduct
- Authorised Towing Services contract (Vendor Panel / RFQ)

10. Version History

Version	Date	Author	Summary of changes
1.0 (Draft)	16/07/2026	D. Scott	Initial procedure document

