Amendment proposes tow-away rights in apartments

Cars illegally parked in flats and apartment complexes would be able to be towed away under amendments to legislation to be introduced into Parliament tomorrow.

The Member for Greatorex Dr Richard Lim will move to amend the Unit Titles Act enabling “Bodies Corporate” to exercise effective control of car parking within apartment complexes across the Territory.

Bodies Corporate will be able to give seven days notice to the registered owner of any unlawfully parked vehicle that it may be towed away.

“I have had many complaints from occupiers and owners of units, angry that they are unable to park cars in their lawfully-allocated space, and they have been unable to do anything about it,” Dr Lim said.

“On arriving home after a long day at work, they find that they are not able to get into their car parks because someone else has parked there.

“Currently there is little that can be done about this.

“When a complaint is made to the Body Corporate about the offence, they are powerless to do anything about it.

“Under the Unit Titles Act, Bodies Corporate do not have any legal capacity to make an enforceable penalty against someone who has parked unlawfully.

“Tow truck operators are reluctant to become involved with the offending vehicle as they could be charged with tampering with a vehicle.

“My amendment empowers Bodies Corporate to obtain details of and impose a fine on the registered owner of any unlawfully parked vehicle. If the fine is defaulted it can be pursued in court.

“Bodies Corporate will also be able to impose a fine on the vehicle each day it is unlawfully parked during the notice period. The registered owner of the vehicle will then have to pay all charges and fines to recover the vehicle.

“Unlawful parking within Body Corporate areas has become a serious problem, particularly with the number of unit complexes being developed, and considering those that will come on stream if and when the Wharf Precinct is fully developed."

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