



1. Preamble

The Brisbane German Club (BCG, The Club) owns land adjacent to the Clubhouse on which it operates a car park for the benefit of Club users. In recent years the area immediately surrounding area has evolved to include a significant number of medium to high density accommodation buildings and businesses.

This in turn this has increased demand for car parking in the area for non-authorized users of the Brisbane German Club car park. Unchecked, this has the capacity to significantly diminish the availability of car-parking opportunities for those whom the car park is intended.

As the Club's carpark is unattended, and lacks entry/exit controls the Club must rely on administrative controls to monitor car park use or misuse. This policy outlines a process by which the Club regulates the use of the car park, including keeping a log of unauthorized vehicles, a system of warning letters, and an agreement that has been put in place with a licensed tow vehicle operator to remove unauthorized vehicles from the Carpark.

2. Authorised users of the Car park

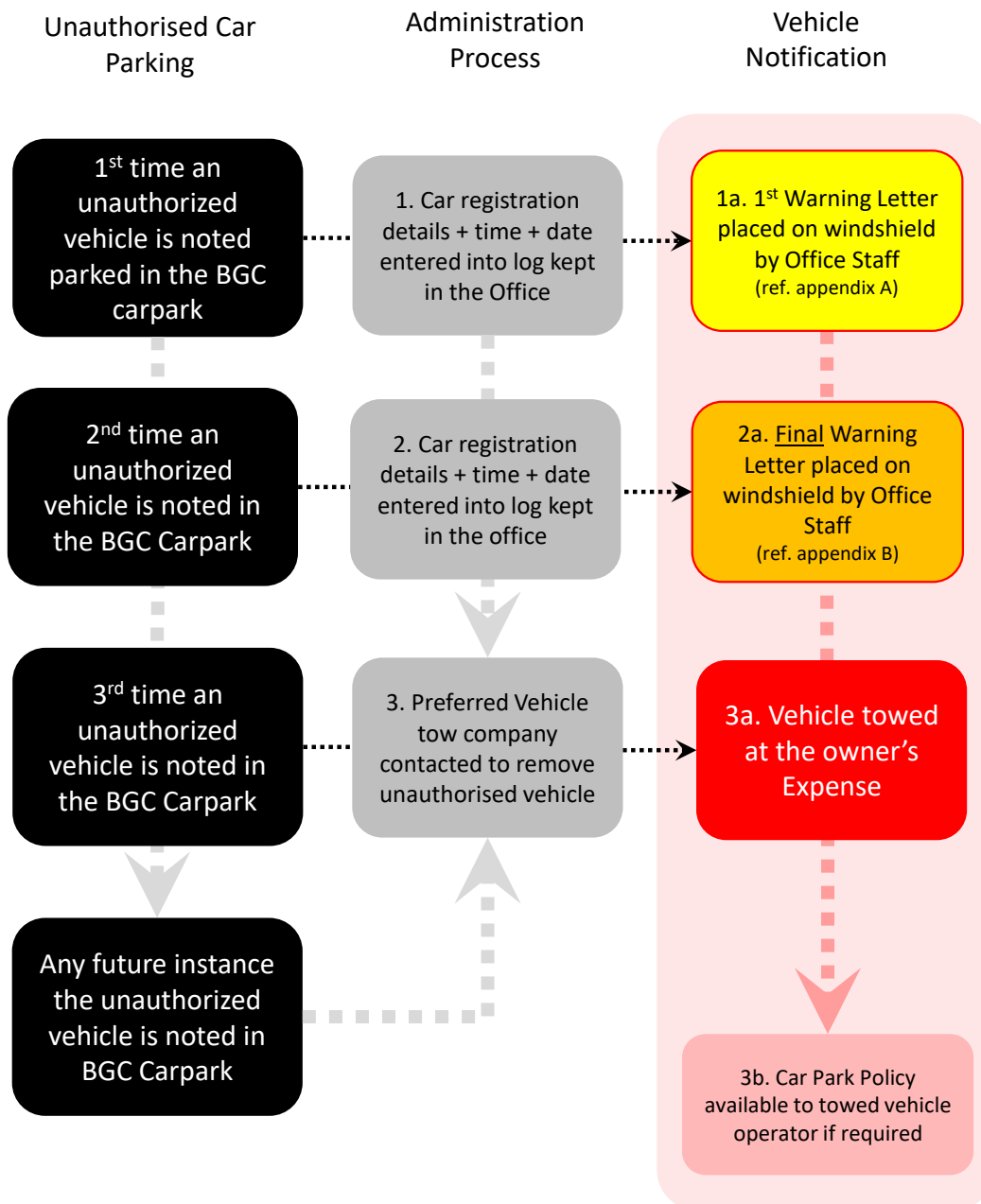
The following groups are authorised to utilise the Brisbane German Club car park.

- 2.1 Club Members while they attend the Club.
- 2.2 Volunteers, Staff, and Workers (e.g. entertainers, club suppliers, etc.) while they are performing duties at the Club.
- 2.3 Any group(s) that have been identified as having a temporary or long term written agreement stipulating the number of vehicles, the positions available and any other conditions related to the agreement. See Appendix C to for a list of current agreements in place.



3. Administrative Process Overview

PROCESS OF ADMINISTRATION UNAUTHORISED PARKING IN BGC CARPARK





4. Legislative Context for Towing Vehicles.

Since April 2018 tow truck legislation has been updated to regulate the removal of vehicles from private property. All private property towing in regulated areas of Queensland must be performed by accredited drivers and assistants using licensed tow trucks. General condition of towing.

4.1 Authority to remove vehicles

- Vehicles can only be towed from private property where the tow truck license holder has entered a contract with a property owner authorising the removal of unauthorized vehicles.
- Vehicles cannot be removed if they are observed breaching parking conditions unless there is a contract and Towing consent in place.

4.2 Good conduct

- Reasonable steps must be taken to locate the vehicle owner or driver before a vehicle can be loaded onto a tow truck.
- If the owner returns in the process of loading and securing the vehicle on a tow truck, the vehicle must be released immediately without charge.
- If the owner returns after the vehicle has been loaded onto the tow truck (including secured in every way necessary) and has not yet left the property, the vehicle must be released immediately if the owner pays the on-site release fee.
- If, after taking reasonable steps a vehicle owner / driver cannot be located, vehicles can be towed by the tow truck license holder to their nearest TMR approved holding yard.
- Tow truck operators must not directly or indirectly cause or threaten willful injury to a person or their property; intimidate, harass, abuse or insult a person or prevent or hinder the delivery of first aid or medical treatment.



4.3 Maximum towing charges

Maximum charges in relation to private towing apply under Tow Truck Regulation 2009 include:

- A standard tow of a motor vehicle from private property capped at \$271.25
- The on-site release of a motor vehicle from private property capped at \$162.75. It is recommended that tow truck drivers have appropriate on-the-spot payment mechanisms available for motorists to pay the on-site release fee (EFTPOS or credit card facilities)
- A daily charge for storing a motor vehicle towed from private property to the nearest holding yard capped at \$27.10 per day.
- A standard tow includes 60 minutes of working time at the scene, (including taking reasonable steps to locate the owner), moving the vehicle to the holding yard, and 72 hours of storage in the holding yard. The property owner must not be charged in addition to the vehicle owner.
- Call-out fees and other fees such as taking steps to locate the owner, travelling to the place where the vehicle is located, allowing the vehicle owner access to the vehicle at the holding yard (within business hours) and other incidental fees cannot be charged.

4.4 Holding yards

- Once stored in the holding yard, a vehicle must not be removed without the written authority of the vehicle's owner or their agent. A vehicle must immediately be released to its owner or their agent on payment of fees payable under the Tow Truck Regulation 2009.

4.5 Notifying the police

- The license holder must notify the Queensland Police Service (QPS) that the vehicle has been towed as soon as practicable but no later than 1 hour after a vehicle removed from private property is stored in the holding yard.



4.6 Property to be kept in safe custody

- If the vehicle is unlocked, the license holder must keep any property found in the vehicle in safe custody at their business address until the property can be returned to the vehicle owner or their agent. A vehicle must not be unlocked without the consent of the owner or their agent.

5. Tow Truck Agreement

The Club has entered into a contractual agreement with “WeTow.com.au”¹ who is a licensed and authorised tow truck operator in Queensland.


As per the administration WeTow.com.au will be contacted on the 3rd instance a vehicle is noted to parked in an unauthorized manner in the Club car park.

Any vehicle owner / operator whose vehicle is towed will be dealing directly with We Tow.

¹ J.L.A Administration Pty. Ltd – Towing Company License No. 900545270. Trading as “WeTow.com.au”



APPENDIX A – First Warning Letter



Brisbane Deutscher Turn-Verein Inc.
incorporating as
Brisbane German Club
A.B.N. 28 087 649 214

FOUNDED
1883

GEGRÜNDET
1883

Re: PARKING ON PRIVATE PROPERTY

Dear Motorist,

This carpark is the private property of the Brisbane German Club and for the exclusive use of Brisbane German Club members **while they are attending the Club**.


Under no circumstances are motorists permitted to utilise this car park, regardless of membership status, unless they are attending the Club.

Please note that your vehicle details have been recorded by the Clubs CCTV system and have also been noted.

Should your vehicle be noticed in this private car park again, your vehicle may be towed at your expense.

We ask you to kindly respect our private property.

Sincerely,



John Melenewycz
Club Manager Secretary
Brisbane German Club

416 Vulture Street, East Brisbane. Qld 4169. Australia
Phone: (07) 3391 2434 E-mail: admin@brisbanegermandub.com
Web: www.brisbanegermanclub.com

PAGE 1 of 1



APPENDIX B – Final Warning Letter



Brisbane Deutscher Turn-Verein Inc.
trading as
Brisbane German Club GEGRÜNDET 1883
FOUNDED 1883
A.B.N. 28 087 649 214

Re: NOTICE OF FINAL WARNING REGARDING PARKING IN THIS CAR PARK

Dear Motorist,

This carpark is the private property of the Brisbane German Club (“the Club”).

This carpark is designated **only** for the use of Brisbane German Club Members, guests of members, and workers and **only while they are attending the Club**.

This carpark is monitored by CCTV cameras and by staff on a 7-day basis. A log of the vehicle registration details of vehicles noted to be illegally parked in the Club’s private car park is kept by the Club. Details of this vehicle have been recorded in this log.

This vehicle has been noted previously as being parked illegally on private property. At that time, a first reminder letter was placed on this vehicle, informing the vehicle operator that should they continue to park in this carpark then your vehicle may be towed.

Your vehicle has now been noted for a second time to be illegally parked in the Club’s private carpark.

This letter is hereby issued to you as a **Final Warning** against parking this vehicle in this car park in an unauthorized manner.

If this vehicle is noted in this car park at any time in the future, it will be towed from the site by a licensed car towing agent. Under current Brisbane City Council Regulations, this will be **entirely at the expense of the vehicle owner** at a cost of up to \$271.25.

Sincerely,

John Melenewycz

Secretary Manager.

BRISBANE GERMAN CLUB

416 Vulture Street, Kangaroo Point. Qld. 4169. Australia
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PAGE 1 of 1



APPENDIX C – List of Exceptions to the standard Car-Park Rules

Organization	Date of Agreement	Nature of Agreement	Specific Terms	Notes
NAA(QLD) (Naval Association of Australia - QLD Branch)	23-NOV-2020 - present	E-mail correspondence by Maddie Baker. Arrangement confirmed by John M. 27-JULY-2022. With NAA(QLD) President Ray Sandford ph: 0447 734 744	<ol style="list-style-type: none"> 3 cars every Tuesday and Thursday between 8am and 12 pm in the bottom eastern corner of the Carpark. All vehicles using this arrangement will be identified by an NAA sticker on the car windscreen. Car's receiving notifications will contact the Club so that our register can be updated 	<p>A long-standing agreement.</p> <p>NAA support the Club with regular events and patronage.</p> <p>They may go above the quota from time to time however are very appreciative of the opportunity.</p>