

# Is a Non-motorised Vehicle Kept in a Parking Lot Legal?

As the world we live in drastically changes, people are looking for more economical and sustainable ways of living.

Many families (and others) are downsizing and moving into strata apartment living which often means they need to also review their current transport options.

## The parking incident that raised many questions!

In a recent incident a lot owner was sent a notice from their owners corporation to remove a kayak from their parking lot. The kayak was stored neatly in front of their motor vehicle within the confines of their parking space.

The owners corporation said the kayak was not a vehicle so therefore it had to be removed or the owner would incur a fine. The owner argued that the kayak was a vehicle and therefore could be kept in the parking space according to the building's by-law for parking.

- Firstly, is a kayak classified as a non-motorised vehicle?
- What if the kayak was strapped to roof racks on the motor vehicle (providing the height allowed for this), would the owner have been asked to remove the kayak?
- What if it was a non-motorised bicycle or scooter that was parked on the parking lot?
- What if it was an e-bike or an e-scooter – are they classified as motor vehicles?
- The list goes on: row boats, dinghies, skateboards, rollerblades etc all types of transport.
- Should the by-law have stipulated (among other things)

motorised and non-motorised vehicles?

- What is legally deemed as a transport vehicle and what is not?

As government and local councils push communities to reduce carbon emissions – the question that must be asked is: do we need to now allow for other forms of transport vehicles with lower emissions to be parked on parking lots within strata complexes?

## **Do you need to review your parking by-law?**

The lesson here is to ensure that your parking by-law is current and in-line with today's ever-changing world.

Most likely your parking by-law is out of date and requires a review.

For a parking by-law review speak to our specialist strata lawyers here now.

[YOUR PARKING BY-LAW NEEDS A REVIEW CLICK HERE NOW!](#)



## **Adrian Mueller I BCOM LLB FACCAL I Partner**

Since 2002 Adrian has specialised almost exclusively in the area of strata law. His knowledge of, and experience in strata

law is second to none. He is the youngest person to have been admitted as a Fellow of the ACSL, the peak body for strata lawyers in Australia. [Profile](#) I [Linked](#)

## Contact Us

For all strata law advice including by-laws, building defects and levy collections contact our specialist NSW and Sydney strata lawyers [here](#) or call 02 9562 1266, we're happy to assist.