















*in such a manner that each stripe is approximately parallel to the centre of the carriageway; and*

- (b) *near each end of which may be erected, on each side of the carriageway, so as to be clearly visible to an approaching driver, a "pedestrian crossing" sign';*

**'public place'** means any place to which the public has access whether or not that place is on private property;

**'reserve'** means any land:

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*; or
- (c) which is an 'otherwise unvested facility' within section 3.53 of the Act;

**'Road Traffic Act'** means the *Road Traffic Act 1974*;

**'Schedule'** means a Schedule to this Local Law;

**'school zone'** means: A school zone refers to an area on a street near a school or near a crosswalk leading to a school that has a likely presence of younger pedestrians. In addition, school zones generally have a reduced speed limit during certain hours.

**'school zone parking or stopping'** means:

- (a) the parking, or the stopping of any motor vehicle takes effect within the signposted areas detailing "School Zone Parking and Standing" restrictions, and associated solid yellow road markings within the designated School Zone.
- (b) "School Zone Parking and Stopping" restrictions are in effect between the hours of 7:30–9am and 2:00–4pm (or as per signage) on any and all days that students are in attendance at the school "school days".

**'shared zone'** has the meaning given to it by the Code;

Note: The Code defines 'shared zone' to mean:

*'the network of roads in an area with –*

- (a) *a 'shared zone' sign on each road into the area, indicating the same number; and*
- (b) *an 'end shared zone' sign on each road out of the area*

Note: *There are a number of other permitted versions of each of these signs;*

Note: *A 'shared zone' sign may also have a different number on the sign'.*

**'sign'** includes a traffic sign, inscription, road marking, mark, structure or device approved by the local government on which may be shown words, numbers, expressions or symbols, and which is placed on or near a thoroughfare or within a parking station or

reserve for the purpose of prohibiting, regulating, guiding, directing or restricting the parking of vehicles;

**'special purpose vehicle'** has the meaning given to it by the Code;

Note: The Code defines 'special purpose vehicle' to mean:

- (a) *a vehicle being driven by a member of the Police Force (other than a police officer) on official duty or that vehicle when it is stationary at any place connected with the official duty;*
- (b) *a public utility service truck;*
- (c) *a tow truck;*
- (d) *a motor break-down service vehicle;*
- (e) *a vehicle being used by a government or local authority in connection with its roadwork or speed zoning functions; or*
- (f) *a vehicle duly authorised as a special purpose vehicle for the purposes of these regulations, by the Director General,*  
  
*but does not include an emergency vehicle';*

**'stop'** in relation to a vehicle means to stop a vehicle and permit it to remain stationary, except for the purposes of avoiding conflict with other traffic or of complying with the provisions of any law;

**'symbol'** includes any symbol specified by Australian Standard 1742.11-1989 and any symbol specified from time to time by Standards Australia for use in the regulation of parking and any reference to the wording of any sign in this Local Law shall be also deemed to include a reference to the corresponding symbol;

**'taxi'** means a taxi within the meaning of the *Taxi Act* 1994 or a taxi-car in section 47Z of the *Transport Co-ordination Act* 1966;

**'taxi zone'** has the meaning given to it by the Code;

Note: The Code defines 'taxi zone' to mean:

*'a length of carriageway to which a 'taxi zone' applies.'*

**'timed parking'** means facility or location which has a restriction on the period, or the time in which a motor vehicle may be parked or stopped at a location, or facility which is determined by a sign displaying and detailing the specific restricted period, or time.

**'thoroughfare'** has the meaning given to it by the Act;

Note: The Act defines 'thoroughfare' to mean:

*'a road or other thoroughfare and includes structures and other things appurtenant to the thoroughfare that are within its limits, and nothing is prevented from being a thoroughfare only because it is not open at each end'*

**'traffic island'** has the meaning given to it by the Code;

Note: The Code defines 'traffic island' to mean:

*'any physical provision, other than lines, marks or other indications on a carriageway, made at or near an intersection, to guide vehicular traffic;'*

**'trailer'** means any vehicle without motive power of its own, designed for attachment to a motor vehicle for the purpose of being towed, but does not include the rear portion of an articulated vehicle, or a side car;

**'vehicle'** has the meaning given to it by the Code;

Note: The Code defines 'vehicle' according to the definition of 'vehicle' in the Road Traffic Act which includes an animal driven or ridden but does not include a wheeled toy or wheeled recreational device;

**'verge'** means the portion of a thoroughfare which lies between the boundary of a carriageway and the adjacent property line but does not include a footpath.

#### 1.4 **Application of particular definitions**

- (1) For the purposes of the application of the definitions 'no parking area' and 'parking area' an arrow inscribed on a traffic sign erected at an angle to the boundary of the carriageway is deemed to be pointing in the direction in which it would point, if the signs were turned at an angle of less than 90 degrees until parallel with the boundary.
- (2) Unless the context otherwise requires, where a term is used, but not defined, in this Local Law, and that term is defined in the Road Traffic Act or in the Code, then the term shall have the meaning given to it in that Act or the Code.

#### 1.5 **Application and pre-existing signs**

- (1) Subject to sub clause (2), this Local Law applies to the parking region.
- (2) This Local Law does not apply to a parking facility or a parking station that is not occupied by the local government, unless the local government and the owner or occupier of that facility or station have agreed in writing that this Local Law will apply to that facility or station.
- (3) The agreement referred to in sub clause (2) may be made on such terms and conditions as the parties may agree.
- (4) Where a parking facility or a parking station is identified in Schedule 4, then the facility or station shall be deemed to be a parking station to which this Local law applies and it shall not be necessary to prove that it is the subject of an agreement referred to in sub clause (2).
- (5) A sign that;
  - (a) was erected by the local government or the Commissioner of Main Roads prior to the coming into operation of this local law; and

- (b) relates to the parking of vehicles within the parking region, A sign that shall be deemed for the purposes of this Local Law to have been erected by the local government under the authority of this local law.
- (6) An inscription or symbol on a sign referred to in sub clause (5) operates and has effect according to its tenor, and where the inscription or symbol relates to the stopping of vehicles, it shall be deemed for the purposes of this Local Law to operate and have effect as if it related to the parking of vehicles.
- (7) The provisions of Parts 2 to 5 do not apply to a bicycle parked at a bicycle rail or bicycle rack.

## 1.6 **Classes of vehicles**

For the purpose of this Local Law, vehicles are divided into classes as follows:

- (a) buses;
- (b) commercial vehicles;
- (c) motorcycles and bicycles;
- (d) taxis; and
- (e) all other vehicles.

## 1.7 **Part of thoroughfare to which sign applies**

Where under this Local Law the parking of vehicles in a thoroughfare is controlled by a sign, the sign shall be read as applying to that part of the thoroughfare which:

- (a) lies beyond the sign;
- (b) lies between the sign and the next sign beyond that sign; and;
- (c) is on that side of the thoroughfare nearest to the sign.

## 1.8 **Powers of the local government**

The local government may, by resolution, prohibit or regulate by signs or otherwise, the stopping or parking of any vehicle or any class of vehicles in any part of the parking region but must do so consistently with the provisions of this local law.

## 2. **PART 2 - PARKING STALLS AND PARKING STATIONS**

### 2.1 **Determination of parking stalls and parking stations**

- (1) The local government may by resolution constitute, determine and vary:
  - (a) parking stalls;
  - (b) parking stations;
  - (c) permitted time and conditions of parking in parking stalls and parking stations which may vary with the locality;

- (d) permitted classes of vehicles which may park in parking stalls and parking stations;
  - (e) permitted classes of persons who may park in specified parking stalls or parking stations; and
  - (f) the manner of parking in parking stalls and parking stations.
- (2) Where the local government makes a determination under subsection (1) it shall erect signs to give effect to the determination.

## 2.2 **Vehicles to be within parking stall on thoroughfare**

- (1) Subject to subclause (2), (3) and (4), a person shall not park a vehicle in a parking stall in a thoroughfare otherwise than:
- (a) parallel to and as close to the kerb as is practicable;
  - (b) wholly within the stall; and
  - (c) headed in the direction of the movement of traffic on the side of the thoroughfare in which the stall is situated.
- (2) Subject to subclause (3) where a parking stall in a thoroughfare is set out otherwise than parallel to the kerb, then a person must park a vehicle in that stall wholly within it.
- (3) If a vehicle is too long or too wide to fit completely within a single parking stall then the person parking the vehicle shall do so within the minimum number of parking stalls needed to park that vehicle.
- (4) A person shall not park a vehicle partly within and partly outside a parking area.

## 2.3 **Parking prohibitions and restrictions**

- (1) A person shall not:
- (a) park a vehicle so as to obstruct an entrance to, or an exit from a parking station, or an access way within a parking station;
  - (b) except with the permission of the local government or an Authorised Person park a vehicle on any part of a parking station contrary to a sign referable to that part;
  - (c) permit a vehicle to park on any part of a parking station, if an Authorised Person directs the driver of such vehicle to move the vehicle; or
  - (d) park or attempt to park a vehicle in a parking stall in which another vehicle is parked but this paragraph does not prevent the parking of a motorcycle and a bicycle together in a stall marked 'M/C', if the bicycle is parked in accordance with sub clause (2).

- (2) No person shall park any bicycle:
  - (a) in a parking stall other than in a stall marked 'M/C'; and
  - (b) in such stall other than against the kerb.
- (3) Notwithstanding the provisions of sub clause (1)(b) a driver may park a vehicle in a permissive parking stall or station (except in a parking area for people with disabilities) for twice the length of time allowed, provided that:
  - (a) the driver's vehicle displays an disability parking permit; and
  - (b) a person with disabilities to which that disability parking permit relates is either the driver of or a passenger in the vehicle.

### **3. PART 3 - PARKING GENERALLY**

#### **3.1 Restrictions on parking in particular areas**

- (1) Subject to sub clause (2), a person shall not park a vehicle in a thoroughfare or part of a thoroughfare, or part of a parking station:
  - (a) if by a sign it is set apart for the parking of vehicles of a different class;
  - (b) if by a sign it is set apart for the parking of vehicles by persons of a different class; or
  - (c) during any period when the parking of vehicles is prohibited by a sign.
- (2) (a) This sub clause applies to a driver if:
  - (a) the driver's vehicle displays a disability parking permit; and
  - (c) a disabled person to which the disability parking permit relates is either the driver of the vehicle or a passenger in the vehicle.
- (b) The driver may park a vehicle in a thoroughfare or a part of a thoroughfare or part of a parking station, except in a thoroughfare or a part of a thoroughfare or part of a parking station to which a disabled parking sign relates for twice the period indicated on the sign.
- (3) A person shall not park a vehicle:
  - (a) in a no parking area;
  - (b) in a parking area, except in accordance with both the signs associated with the parking area, which includes an specified time, and with this local law;
  - (c) in a stall marked 'M/C' unless it is a motorcycle without a sidecar or a trailer, or it is a bicycle.

- (4) A person shall not park, or stop a vehicle within a “School Zone” contrary to any signs and markings.
- (5) A person shall not, without the prior permission of the local government, the CEO, or an authorised person, park a vehicle in an area designated by a sign stating 'Authorised Vehicles Only'.

### 3.2 **Parking vehicle on a carriageway**

- (1) A person parking a vehicle on a carriageway other than in a parking stall shall park it:
  - (a) in the case of a two-way carriageway, so that it is as near as practicable to and parallel with, the left boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the vehicle is parked;
  - (b) in the case of a one-way carriageway, so that it is as near as practicable to and parallel with either boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the vehicle is parked;
  - (c) so that at least 3 metres of the width of the carriageway lies between the vehicle and the farther boundary of the carriageway, or any continuous line or median strip, or between the vehicle and a vehicle parked on the farther side of the carriageway;
  - (d) so that the front and the rear of the vehicle respectively is not less than 1 metre from any other vehicle, except a motorcycle without a trailer, or a bicycle parked in accordance with this Local Law; and
  - (e) so that it does not obstruct any vehicle on the carriageway,

unless otherwise indicated on a parking regulation sign or markings on the roadway.

- (2) In this clause, 'continuous dividing line' means –
  - (a) a single continuous dividing line only;
  - (b) a single continuous dividing line to the left or right of a broken dividing line; or
  - (c) 2 parallel continuous dividing lines.

### 3.3 **When parallel and right-angled parking apply**

Where a traffic sign associated with a parking area is not inscribed with the words 'angle parking' (or with an equivalent symbol depicting this purpose), then unless a sign associated with the parking area indicates, or marks on the carriageway indicate, that vehicles have to park in a different position, where the parking area is:

- (a) adjacent to the boundary of a carriageway, a person parking a vehicle in the parking area shall park it as near as practicable to and parallel with that boundary; and
- (b) at or near the centre of the carriageway, a person parking a vehicle in that parking area shall park it at approximately right angles to the centre of the carriageway.

### 3.4 **When angle parking applies**

- (1) This clause does not apply to:
  - (a) a passenger vehicle or a commercial vehicle with a mass including any load, of over three tonnes; or
  - (b) a person parking either a motor cycle without a trailer or a bicycle.
- (2) Where a sign associated with a parking area is inscribed with the words 'angle parking' (or with an equivalent symbol depicting this purpose), a person parking a vehicle in the area shall park the vehicle at an angle of approximately 45 degrees to the centre of the carriageway unless otherwise indicated by the inscription on the parking sign or by marks on the carriageway.

### 3.5 **General prohibitions on parking**

- (1) This clause does not apply to a vehicle parked in a parking stall nor to a bicycle in a bicycle rack.
- (2) Subject to any law relating to intersections with traffic control signals a person shall not park a vehicle so that any portion of the vehicle is:
  - (a) between any other stationary vehicles and the centre of the carriageway;
  - (b) on or adjacent to a median strip;
  - (c) obstructing a right of way, private drive or carriageway or so close as to deny a vehicle reasonable access to or egress from the right of way, private drive or carriageway;
  - (d) alongside or opposite any excavation, works, hoarding, scaffolding or obstruction on the carriageway, if the vehicle would obstruct traffic;
  - (e) on or within 10 metres of any portion of a carriageway bounded by a traffic island;
  - (f) on any footpath or pedestrian crossing;
  - (g) between the boundaries of a carriageway and any double longitudinal line consisting of two continuous lines or between a double longitudinal line consisting of a continuous line and a broken or dotted line and the boundary of a carriageway nearer to the continuous line,

unless there is a distance of at least 3 metres clear between the vehicle and the double longitudinal line;

- (h) on an intersection, except adjacent to a carriageway boundary that is not broken by an intersecting carriageway;
- (i) within 1 metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug;
- (j) within 3 metres of a public letter pillar box, unless the vehicle is being used for the purposes of collecting postal articles from the pillar box; or
- (k) within 10 metres of the nearer property line of any thoroughfare intersecting the thoroughfare on the side on which the vehicle is parked,

unless a sign or markings on the carriageway indicate otherwise.

- (3) A person shall not park a vehicle so that any portion of the vehicle is within 10 metres of the departure side of:
  - (a) a sign inscribed with the words 'Bus Stop' or 'Hail Bus Here' (or with equivalent symbols depicting these purposes) unless the vehicle is a bus stopped to take up or set down passengers; or
  - (b) a children's crossing or pedestrian crossing.
- (4) A person shall not park a vehicle so that any portion of the vehicle is within 20 metres of the approach side of:
  - (a) a sign inscribed with the words 'Bus Stop' or 'Hail Bus Here' (or with equivalent symbols depicting these purposes) unless the vehicle is a bus stopped to take up or set down passengers;
  - (b) a children's crossing or pedestrian crossing.
- (5) A person shall not park a vehicle so that any portion of the vehicle is within 20 metres of either the approach side or the departure side of the nearest rail of a railway level crossing.

### 3.6 **Authorised person may order vehicle on thoroughfare to be moved**

The driver of a vehicle shall not park that vehicle on any part of a thoroughfare in contravention of this local law after an authorised person has directed the driver to move it.

### 3.7 **Authorised person may mark tyres**

- (1) An Authorised Person may mark the tyres of a vehicle parked in a parking facility with chalk or any other non-indelible substance for a purpose connected with or arising out of his or her duties or powers.

- (2) A person shall not remove a mark made by an Authorised Person so that the purpose of the affixing of such a mark is defeated or likely to be defeated.

### 3.8 **No parking of vehicles exposed for sale and in other circumstances**

A person shall not park a vehicle on any portion of a thoroughfare:

- (a) for the purpose of exposing it for sale;
- (b) if that vehicle is not licensed under the Road Traffic Act;
- (c) if that vehicle is a trailer or a caravan unattached to a motor vehicle; or
- (d) for the purpose of effecting repairs to it, other than the minimum repairs necessary to enable the vehicle to be moved to a place other than a thoroughfare.

### 3.9 **Parking on private land**

- (1) In this clause a reference to 'land' does not include land:
  - (a) which belongs to the local government;
  - (b) of which the local government is the management body under the *Land Administration Act 1997*;
  - (c) which is an 'otherwise unvested facility' within section 3.53 of the Act;
  - (d) which is the subject of an agreement referred to in clause 1.5(2); or
  - (e) which is identified in Schedule 4.
- (2) A person shall not park a vehicle on land without the consent of the owner or occupier of the land on which the vehicle is parked.
- (3) Where the owner or occupier of the land, by a sign referable to that land or otherwise, consents to the parking of vehicles of a specified class or classes on the land for a limited period, a person shall not park a vehicle on the land otherwise than in accordance with the consent.

### 3.10 **Parking on reserves**

No person other than an employee of the local government in the course of his or her duties or a person authorised by the local government shall drive or park a vehicle upon or over any portion of a reserve other than upon an area specifically set aside for that purpose.

### 3.11 **Suspension of parking limitations for urgent, essential or official duties**

- (1) Where by a sign the parking of vehicles is permitted for a limited time on a portion of a thoroughfare or parking facility, the local government, the CEO or an authorised person may, subject to the Code, permit a person to park a vehicle in that portion of the thoroughfare or parking facility for longer than the

permitted time in order that the person may carry out urgent, essential or official duties.

- (2) Where permission is granted under sub clause (1), the local government, the CEO or an Authorised Person may prohibit the use by any other vehicle of that portion of the thoroughfare or parking facility to which the permission relates, for the duration of that permission.

#### **4. PART 4 – PARKING AND STOPPING GENERALLY**

##### **4.1 No stopping and no parking signs, and yellow edge lines**

- (1) No stopping

A driver shall not stop on a length of carriageway, or in an area, to which a 'no stopping' sign applies.

- (2) No parking

A driver shall not stop on a length of carriageway or in an area to which a 'no parking' sign applies, unless the driver is-

- (a) dropping off, or picking up, passengers or goods;
- (b) does not leave the vehicle unattended; and
- (c) completes the dropping off, or picking up, of the passengers or goods within 2 minutes of stopping and drives on.

'unattended', in relation to a vehicle, means that the driver has left the vehicle so that the driver is more than 3 metres from the closest point of the vehicle.

- (3) No stopping on a carriageway with yellow edge lines

A driver shall not stop at the side of a carriageway marked with a continuous yellow edge line.

##### **4.2 Timed parking.**

- (a) A person shall not park or stop a vehicle in a zone to which a traffic sign applies if parking or the stopping the vehicle would be contrary to any period or time limitation as indicated on a traffic sign that applies to the zone.
- (b) Where the parking of a vehicle in a parking facility is permitted for a limited time, a person shall not move a vehicle within the parking facility so that the total time of parking exceeds the maximum time allowed for parking in the parking facility.

## **5. PART 5 – STOPPING IN ZONES FOR PARTICULAR VEHICLES**

### **5.1 Stopping in a loading zone**

A person shall not stop a vehicle in a loading zone unless it is:

- (a) a motor vehicle used for commercial or trade purposes engaged in the picking up or setting down of goods; or
- (b) a motor vehicle taking up or setting down passengers,

but, in any event, shall not remain in that loading zone:

- (c) for longer than a time indicated on the 'loading zone' sign; or
- (d) longer than 30 minutes (if no time is indicated on the sign).

### **5.2 Stopping in a taxi zone or a bus zone**

- (1) A driver shall not stop in a taxi zone, unless the driver is driving a taxi.
- (2) A driver shall not stop in a bus zone unless the driver is driving a public bus, or a bus of a type that is permitted to stop at the bus zone by information on or with the 'bus zone' sign applying to the bus zone.

### **5.3 Stopping in a mail zone**

A person shall not stop a vehicle in a mail zone.

### **5.4 Other limitations in zones**

A person shall not stop a vehicle in a zone to which a traffic sign applies if stopping the vehicle would be contrary to any limitation in respect to classes of persons or vehicles, or specific activities allowed, as indicated by additional words on a traffic sign that applies to the zone.

## **6. PART 6 – OTHER PLACES WHERE STOPPING IS RESTRICTED**

### **6.1 Stopping in a shared zone**

A driver shall not stop in a shared zone unless:

- (1) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under these Local Laws;
- (2) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under these Local Laws;
- (3) the driver is dropping off, or picking up, passengers or goods; or
- (4) the driver is engaged in door-to-door delivery or collection of goods, or in the collection of waste or garbage.

## 6.2 **Double parking**

- (1) A driver shall not stop a vehicle so that any portion of the vehicle is between any other stopped vehicle and the centre of the carriageway.
- (2) This clause does not apply to:
  - (a) a driver stopped in traffic; or
  - (b) a driver angle parking on the side of the carriageway or in a median strip parking area, in accordance with these Local Laws.

## 6.3 **Stopping near an obstruction**

A driver shall not stop on a carriageway near an obstruction on the carriageway in a position that further obstructs traffic on the carriageway.

## 6.4 **Stopping on a bridge or in a tunnel, etc**

- (1) A driver shall not stop a vehicle on a bridge, causeway, ramp or similar structure unless:
  - (a) the carriageway is at least as wide on the structure as it is on each of the approaches and a traffic sign does not prohibit stopping or parking; or
  - (b) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under these Local Laws.
- (2) A driver shall not stop a vehicle in a tunnel or underpass unless:
  - (a) the carriageway is at least as wide in the tunnel or underpass as it is on each of the approaches and a traffic sign does not prohibit stopping or parking; or
  - (b) the driver of a motor vehicle stops at a bus stop, or in a bus zone or parking area marked on the carriageway, for the purpose of setting down or taking up passengers.

## 6.5 **Stopping on crests, curves, etc**

- (1) Subject to sub clause (2), a driver shall not stop a vehicle on, or partly on, a carriageway, in any position where it is not visible to the driver of an overtaking vehicle, from a distance of 50 metres within a built-up area, and from a distance of 150 metres outside a built-up area.
- (2) A driver may stop on a crest or curve on a carriageway that is not in a built-up area if the driver stops at a place on the carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under these local laws.

## 6.6 Stopping near a fire hydrant etc

- (1) A driver shall not stop a vehicle so that any portion of the vehicle is within one metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug, unless:
  - (a) the driver is driving a public bus, and the driver stops in a bus zone or at a bus stop and does not leave the bus unattended; or
  - (b) the driver is driving a taxi, and the driver stops in a taxi zone and does not leave the taxi unattended.
- (2) In this clause a driver leaves the vehicle unattended if the driver leaves the vehicle so the driver is over 3 metres from the closest point of the vehicle.

## 6.7 Stopping at or near a bus stop

- (1) A driver shall not stop a vehicle so that any portion of the vehicle is within 20 metres of the approach side of a bus stop, or within 10m of the departure side of a bus stop, unless:
  - (a) the vehicle is a public bus stopped to take up or set down passengers; or
  - (b) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under these local laws.
- (2) In this clause:
  - (a) distances are measured in the direction in which the driver is driving; and
  - (b) a trailer attached to a public bus is deemed to be a part of the public bus.

## 6.8 Stopping on a path, median strip, or traffic island

The driver of a vehicle (other than a bicycle or an animal) shall not stop so that any portion of the vehicle is on a path, traffic island or median strip, unless the driver stops in an area, to which a parking control sign applies and the driver is permitted to stop at that place under these local laws.

## 6.9 Stopping on verge

- (1) A person shall not:
  - (a) stop a vehicle (other than a bicycle);
  - (b) stop a commercial vehicle or bus, or a trailer or caravan unattached to a motor vehicle; or
  - (c) stop a vehicle during any period when the stopping of vehicles on that verge is prohibited by a sign adjacent and referable to that verge,

so that any portion of it is on a verge.

- (2) Sub clause (1)(a) does not apply to the person if he or she is the owner or occupier of the premises adjacent to that verge, or is a person authorised by the occupier of those premises to stop the vehicle so that any portion of it is on the verge.
- (3) Sub clause (1)(b) does not apply to a commercial vehicle when it is being loaded or unloaded with reasonable expedition with goods, merchandise or materials collected from or delivered to the premises adjacent to the portion of the verge on which the commercial vehicle is parked, provided no obstruction is caused to the passage of any vehicle or person using a carriageway or a path.

#### 6.10 **Obstructing access to and from a path, driveway, etc**

- (1) A driver shall not stop a vehicle so that any portion of the vehicle is in front of a path, in a position that obstructs access by vehicles or pedestrians to or from that path, unless:
  - (a) the driver is dropping off, or picking up, passengers; or
  - (b) the driver stops in a parking stall and the driver is permitted to stop in the parking stall under these Local Laws.
- (2) A driver shall not stop a vehicle on or across a driveway or other way of access for vehicles travelling to or from adjacent land, unless:
  - (a) the driver is dropping off, or picking up, passengers; or
  - (b) the driver stops in a parking stall and the driver is permitted to stop in the parking stall under these local laws.

#### 6.11 **Stopping near a letter box**

A driver shall not stop a vehicle so that any portion of the vehicle is within 3 metres of a public letter box, unless the driver:

- (a) is dropping off, or picking up, passengers or mail; or
- (b) stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under these local laws.

#### 6.12 **Stopping on a carriageway – heavy and long vehicles**

- (1) A person shall not park a vehicle or any combination of vehicles, that, together with any projection on, or load carried by, the vehicle or combination of vehicles, is 7.5 metres or more in length or exceeds a GVM of 4.5 tonnes:
  - (a) on a carriageway in a built-up area, for any period exceeding one hour, unless engaged in the picking up or setting down of goods; or

- (b) on a carriageway outside a built-up area, except on the shoulder of the carriageway, or in a truck bay or other area set aside for the parking of goods vehicles.
- (2) Nothing in this clause mitigates the limitations or condition imposed by any other clause or by any local law or traffic sign relating to the parking or stopping of vehicles.

### 6.13 **Stopping on a carriageway with motor cycle parking sign**

The driver of a vehicle shall not stop on a length of carriageway, or in an area, to which a 'motor cycle parking' sign applies, or an area marked 'M/C' unless:

- (a) the vehicle is a motor cycle; or
- (b) the driver is dropping off, or picking up, passengers.

### 6.14 **Stopping in a parking stall for people with disabilities**

- (1) A driver shall not stop in a parking area for people with disabilities unless:
  - (a) the driver's vehicle displays an ACROD sticker; and
  - (b) either the driver or the passenger in that vehicle is a person with disabilities.
- (2) In this clause a 'parking area for people with disabilities' is a length or area:
  - (a) to which a 'permissive parking' sign displaying a people with disabilities symbol applies;
  - (b) to which a 'people with disabilities parking' sign applies;
  - (c) indicated by a road marking (a 'people with disabilities road marking') that consists of, or includes, a people with disabilities symbol; or
  - (d) set aside within a parking region as a 'parking stall for use of a disabled person' under the *Local Government (Parking for Disabled Persons) Regulations 1988*.

## 7. **PART 7 - MISCELLANEOUS**

### 7.1 **Removal of notices on vehicle**

A person, other than the driver of the vehicle or a person acting under the direction of the driver of the vehicle, shall not remove from the vehicle any notice put on the vehicle by an authorised person.

### 7.2 **Unauthorised signs and defacing of signs**

A person shall not without the authority of the local government:

- (a) mark, set up or exhibit a sign purporting to be or resembling a sign marked, set up or exhibited by the local government under this local law;

- (b) remove, deface or misuse a sign or property, set up or exhibited by the local government under this local law or attempt to do any such act; or
- (c) affix a board, sign, placard, notice or other thing to or paint or write upon any part of a sign set up or exhibited by the local government under this local law.

### 7.3 **Signs must be complied with**

An inscription or symbol on a sign operates and has effect according to its tenor and a person contravening the direction on a sign commits an offence under this local law.

### 7.4 **General provisions about signs**

- (1) A sign marked, erected, set up, established or displayed on or near a thoroughfare is, in the absence of evidence to the contrary presumed to be a sign marked, erected, set up, established or displayed under the authority of this local law.
- (2) The first three letters of any day of the week when used on a sign indicate that day of the week.

### 7.5 **Special purpose and emergency vehicles**

Notwithstanding anything to the contrary in this Local Law, the driver of:

- (a) a special purpose vehicle may, only in the course of his or her duties and when it is expedient and safe to do so, stop, or park the vehicle in any place, at any time; and
- (b) an emergency vehicle may, in the course of his or her duties and when it is expedient and safe to do so or where he or she honestly and reasonably believes that it is expedient and safe to do so, stop, or park the vehicle at any place, at any time.

### 7.6 **Vehicles not to obstruct a public place**

- (1) A person shall not leave a vehicle, or any part of a vehicle, in a public place so that it obstructs the use of any part of that public place without the permission of the local government or unless authorised under any written law.
- (2) A person will not contravene sub clause (1) where the vehicle is left for a period not exceeding 24 hours.

## 8. **PART 8 - PENALTIES**

### 8.1 **Offences and penalties**

- (1) Any person who fails to do anything required or directed to be done under this Local Law, or who does anything which under this Local Law that person is prohibited from doing, commits an offence.
- (2) An offence against any provision of this Local Law is a prescribed offence for the purposes of section 9.16(1) of the Act.

- (3) Any person who commits an offence under this Local Law shall be liable, upon conviction, to a penalty not exceeding \$1,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$100 for each day or part of a day during which the offence has continued.
- (4) The amount appearing in the final column of Schedule 2 directly opposite a clause specified in that Schedule is the modified penalty for an offence against that clause.

## 8.2 **Form of notices**

For the purposes of this Local Law:

- (a) the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 3;
- (b) the form of the infringement notice referred to in section 9.17 of the Act is that of Form 2 in Schedule 3;
- (c) the form of the infringement notice referred to in section 9.17 of the Act which incorporates the notice referred to in section 9.13 of the Act, is that of Form 3 in Schedule 3; and
- (d) the form of the notice referred to in section 9.20 of the Act is that of Form 4 in Schedule 3.

**SCHEDULE 1**  
**PARKING REGION**

The parking region is the whole of the district, *being the Shire of Serpentine Jarrahdale*, but excludes the following portions of the district:

1. the approach and departure prohibition areas of all existing and future traffic control signal installations as determined by the Commissioner of Main Roads;
2. prohibition areas applicable to all existing and future bridges and subways as determined by the Commissioner of Main Roads; and
3. any road which comes under the control of the Commissioner of Main Roads unless the control of parking and parking facilities on that road is carried out subject to the control and direction of the Commissioner of Main Roads or has been delegated by the Commissioner to the local government.

**SCHEDULE 2 - PRESCRIBED OFFENCES****SHIRE OF SERPENTINE JARRAHDALÉ  
PARKING AND PARKING FACILITIES LOCAL LAW 2014**

<b>ITEM NO.</b>	<b>CLAUSE NO.</b>	<b>NATURE OF OFFENCE</b>	<b>MODIFIED PENALTY \$</b>
1	2.2	Failure to park wholly within parking stall	50
2	2.2(4)	Failure to park wholly within parking area	50
3	2.3(1)(a)	Causing obstruction in parking station	50
4	2.3(1)(b)	Parking contrary to sign in parking station	50
5	2.3(1)(c)	Parking contrary to directions of Authorised Person	60
6	2.3(1)(d)	Parking or attempting to park a vehicle in a parking stall occupied by another vehicle	50
7	3.1(1)(a)	Parking wrong class of vehicle	50
8	3.1(1)(b)	Parking by persons of a different class	50
9	3.1(1)(c)	Parking during prohibited period	60
10	3.1(3)(a)	Parking in no parking area	60
11	3.1(3)(b)	Parking contrary to signs or limitations	60
12	3.1(3)(c)	Parking vehicle in motor cycle only area	50
13	3.1(4)	Parking or Stopping a vehicle within a school zone contrary to signs and road markings.	80
14	3.1(5)	Parking without permission in an area designated for 'Authorised Vehicles Only'	60
15	3.2(1)(a)	Failure to park on the left of two-way carriageway	50
16	3.2(1)(b)	Failure to park on boundary of one-way carriageway	50
17	3.2(1)(a) or 3.2(1)(b)	Parking against the flow of traffic	50

18	3.2(1)(c)	Parking when distance from farther boundary less than 3 metres	50
19	3.2(1)(d)	Parking closer than 1 metre from another vehicle	50
20	3.2(1)(e)	Causing obstruction	60
21	3.3(b)	Failure to park at approximate right angle	50
22	3.4(2)	Failure to park at an appropriate angle	50
23	3.5(2)(a) and 6.2	Double parking	60
24	3.5(2)(b)	Parking on or adjacent to a median strip	60
25	3.5(2)(c)	Denying access to private drive or right of way	60
26	3.5(2)(d)	Parking beside excavation or obstruction so as to obstruct traffic	50
27	3.5(2)(e)	Parking within 10 metres of traffic island	60
28	3.5(2)(f)	Parking on footpath/pedestrian crossing	60
29	3.5(2)(g)	Parking contrary to continuous line markings	60
30	3.5(2)(h)	Parking on intersection	60
31	3.5(2)(i)	Parking within 1 metre of fire hydrant or fire plug	60
32	3.5(2)(j)	Parking within 3 metres of public letter box	50
33	3.5(2)(k)	Parking within 10 metres of intersection	60
34	3.5(3)(a) or (b)	Parking vehicle within 10 metres of departure side of bus stop, children's crossing or pedestrian crossing	60
35	3.5(4)(a) or (b)	Parking vehicle within 20 metres of approach side of bus stop, children's crossing or pedestrian crossing	50
36	3.5(5)	Parking vehicle within 20 metres of approach side or departure side of railway level crossing	50
37	3.6	Parking contrary to direction of Authorised Person	60
38	3.7(2)	Removing mark of Authorised Person	80

39	3.8(a)	Parking in thoroughfare for purpose of sale	50
40	3.8(b)	Parking unlicensed vehicle in thoroughfare	50
41	3.8(c)	Parking a trailer/caravan on a thoroughfare	50
42	3.8(d)	Parking in thoroughfare for purpose of repairs	50
43	3.9(2)	Parking on land that is not a parking facility without consent	60
44	3.9(3)	Parking on land not in accordance with consent	50
45	3.10	Driving or parking on reserve	50
46	4.1(1)	Stopping contrary to a 'no stopping' sign	60
47	4.1(2 & 3)	Parking contrary to a 'no parking' sign	60
48	4.2(1 & 2)	Parking or stopping a vehicle contrary to a period or a time determined by a 'parking sign'	60
49	5.1	Stopping unlawfully in a loading zone	50
50	5.2	Stopping unlawfully in a taxi zone or bus zone	50
51	5.3	Stopping unlawfully in a mail zone	50
52	5.4	Stopping in a zone contrary to a sign	60
53	6.1	Stopping in a shared zone	50
54	6.3	Stopping near an obstruction	50
55	6.4	Stopping on a bridge or tunnel	60
56	6.5	Stopping on crests/curves etc	60
57	6.6	Stopping near fire hydrant	60
58	6.7	Stopping near bus stop	50
59	6.8	Stopping on path, median strip or traffic island	60
60	6.9	Stopping on verge	60

61	6.10	Obstructing path, a driveway etc	60
62	6.11	Stopping near letter box	50
63	6.12	Stopping heavy or long vehicles on carriageway	50
64	6.13	Stopping in motorcycle parking area	50
65	6.14	Stopping in disabled parking area	200
66	7.6	Leaving vehicle so as to obstruct a public place	60
67	8.1(1)	All other offences not specified	50

**SCHEDULE 3 – FORM 1**

**SHIRE OF SERPENTINE JARRAHDAL**

**PARKING AND PARKING FACILITIES LOCAL LAW 2014**

**NOTICE TO OWNER OF VEHICLE INVOLVED IN OFFENCE**

Date ..... / ..... / .....

To: (1) .....

of: (2) .....

It is alleged that on ..... / ..... / ..... at (3) .....

at (4) ..... your vehicle:

make: ..... ;

model: ..... ;

registration: .....,

was involved in the commission of the following offence - .....

.....  
.....  
.....  
.....

contrary to clause ..... of the **Parking and Parking Facilities Local Law**.

You are required under section 9.13 of the Local Government Act 1995 to identify the person who was the driver or person in charge of the vehicle at the time when the offence is alleged to have been committed.

If you do not prove otherwise, you will be deemed to have committed the offence unless:

- (a) within 28 days after being served with this notice;
  - (i) you inform the Chief Executive Officer or another authorized officer of the local government as to the identity and address of the person who was the driver or person in charge of the vehicle at the time the offence is alleged to have been committed; and
  - (ii) you satisfy the Chief Executive Officer that the vehicle had been stolen, or was being unlawfully used, at the time the offence is alleged to have been committed;

or

- (b) you were given an infringement notice for the alleged offence and the modified penalty specified in it is paid within 28 days after the notice was given or such further time as is allowed.

(5) .....

(6) .....

Insert:

- (1) Name of owner or 'the owner'
- (2) Address of owner (not required if owner not named)
- (3) Time of alleged offence
- (4) Location of alleged offence
- (5) Signature of authorised person
- (6) Name and title of authorised person giving notice

**SCHEDULE 4- FORM 2**

**SHIRE OF SERPENTINE JARRAHDALE**

**PARKING AND PARKING FACILITIES LOCAL LAW 2014**

**INFRINGEMENT NOTICE**

Serial No .....

Date ..... / ..... / .....

To: (1) .....

of: (2) .....

It is alleged that on ..... / ..... / ..... at (3) .....  
at (4) .....  
in respect of vehicle:

make: ..... ;

model: ..... ;

registration: ..... ,

you committed the following offence:

.....  
.....  
.....

contrary to clause ..... of the **Parking and Parking Facilities Local Law**.

The modified penalty for the offence is \$ .....

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty may be paid to an authorised person at (5) ..... within a period of 28 days after the giving of this notice.

If you take no action this infringement notice may be registered with the Fines Enforcement Registry after which your driver's licence or any vehicle licence held by you may be suspended. If the matter is registered with the Registry additional costs will also be payable.

If the above address is not your current address, or if you change your address, it is important that you advise us immediately. Failure to do so may result in your driver's licence or any vehicle licence you hold being suspended without your knowledge.

(6) .....

(7) .....

Insert:

(1) Name of alleged offender or 'the owner'

- (2) Address of alleged offender
- (3) Time of alleged offence
- (4) Location of alleged offence
- (5) Place where modified penalty may be paid
- (6) Signature of authorised person
- (7) Name and title of authorised person giving notice

**SCHEDULE 3 – FORM 3**

**PARKING AND PARKING FACILITIES LOCAL LAW**

**WITHDRAWAL OF INFRINGEMENT NOTICE**

Serial No .....

Date ..... / ..... / .....

To: (1) .....

of: (2) .....

Infringement Notice No. .... dated ..... / ..... / .....

in respect of vehicle:

make: ..... ;

model: ..... ;

registration: ..... ,

for the alleged offence of .....  
.....  
.....  
.....

has been withdrawn.

The modified penalty of \$ .....

- has been paid and a refund is enclosed.
- has not been paid and should not be paid.
- delete as appropriate.

(3) .....

(4) .....

Insert:

- (1) Name of alleged offender to whom infringement notice was given or 'the owner'.
- (2) Address of alleged offender.
- (3) Signature of authorised person
- (4) Name and title of authorised person giving notice



## CONTENTS

<b>1.</b>	<b>PART 1 - DEFINITIONS AND OPERATION .....</b>	<b>1</b>
1.1	Commencement .....	1
1.2	Repeal .....	1
1.3	Interpretation .....	1
1.4	Application of Particular Definitions .....	10
1.5	Application and pre-existing signs .....	10
1.6	Classes of vehicles.....	11
1.7	Part of thoroughfare to which sign applies.....	11
1.8	Powers of the local government .....	11
<b>2.</b>	<b>PART 2 - PARKING STALLS AND PARKING STATIONS.....</b>	<b>11</b>
2.1	Determination of parking stalls and parking stations .....	11
2.2	Vehicles to be within parking stall on thoroughfare.....	12
2.3	Parking prohibitions and restrictions .....	12
<b>3.</b>	<b>PART 3 - PARKING GENERALLY .....</b>	<b>13</b>
3.1	Restrictions on parking in particular areas .....	13
3.2	Parking vehicle on a carriageway.....	14
3.3	When parallel and right-angled parking apply .....	14
3.4	When angle parking applies .....	15
3.5	General prohibitions on parking.....	15
3.6	Authorised person may order vehicle on thoroughfare to be moved .....	16
3.7	Authorised person may mark tyres.....	16
3.8	No movement of vehicles to avoid time limitation .....	16
3.9	No parking of vehicles exposed for sale and in other circumstances.....	17
3.10	Parking on private land.....	17
3.11	Parking on reserves.....	17
3.12	Suspension of parking limitations for urgent, essential or official duties .....	17
<b>4.</b>	<b>PART 4 – PARKING AND STOPPING GENERALLY.....</b>	<b>18</b>
4.1	No stopping and no parking signs, and yellow edge lines .....	18
<b>5.</b>	<b>PART 5 – STOPPING IN ZONES FOR PARTICULAR VEHICLES.....</b>	<b>19</b>
5.1	Stopping in a loading zone .....	19
5.2	Stopping in a taxi zone or a bus zone .....	19
5.3	Stopping in a mail zone .....	19
5.4	Other limitations in zones.....	19
<b>6.</b>	<b>PART 6 – OTHER PLACES WHERE STOPPING IS RESTRICTED .....</b>	<b>19</b>
6.1	Stopping in a shared zone.....	19
6.2	Double parking .....	20
6.3	Stopping near an obstruction .....	20
6.4	Stopping on a bridge or in a tunnel, etc.....	20
6.5	Stopping on crests, curves, etc.....	20
6.6	Stopping near a fire hydrant etc.....	21
6.7	Stopping at or near a bus stop.....	21
6.8	Stopping on a path, median strip, or traffic island .....	21

6.9	Stopping on verge .....	21
6.10	Obstructing access to and from a path, driveway, etc. ....	22
6.11	Stopping near a letter box .....	22
6.12	Stopping on a carriageway – heavy and long vehicles.....	22
6.13	Stopping on a carriageway with a bicycle parking sign .....	23
6.14	Stopping on a carriageway with motor cycle parking sign .....	23
6.15	Stopping in a parking stall for people with disabilities .....	23
<b>7.</b>	<b>PART 7 - MISCELLANEOUS.....</b>	<b>23</b>
7.1	Removal of notices on vehicle.....	23
7.2	Unauthorised signs and defacing of signs .....	23
7.3	Signs must be complied with.....	24
7.4	General provisions about signs.....	24
7.5	Special purpose and emergency vehicles .....	24
7.6	Vehicles not to obstruct a public place .....	24
<b>8.</b>	<b>PART 8 - PENALTIES .....</b>	<b>24</b>
8.1	Offences and penalties.....	24
8.2	Form of notices .....	25
	<b>SCHEDULE 1 PARKING REGION.....</b>	<b>26</b>
	<b>SCHEDULE 2 PRESCRIBED OFFENCES.....</b>	<b>27</b>
	<b>SCHEDULE 3 FORMS .....</b>	<b>31</b>
	<b>FORM 1 - Notice to the owner of a vehicle involved in an offence</b>	
	<b>FORM 2 - Infringement Notice</b>	
	<b>FORM 3 - Withdrawal of an Infringement Notice</b>	

**LOCAL GOVERNMENT ACT 1995**  
**SHIRE OF SERPENTINE JARRAHDALE**  
**PARKING AND PARKING FACILITIES LOCAL LAW**