

City of Stirling

PARKING LOCAL LAW 2014

Local Government Act 1995

City of Stirling

Parking Local Law 2014

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Local Government Act 1995

City of Stirling

Parking Local Law 2014

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Stirling resolved on 1 April 2014 to make the following local law.

Part 1 - Preliminary

1.1 Citation

This local law may be cited as the *City of Stirling Parking Local Law 2014*.

1.2 Commencement

This local law comes into operation 14 days after the date of publication in the *Government Gazette*.

1.3 Purpose and effect

- (1) The purpose of this local law is to provide for the regulation, control and management of parking within the local government.
- (2) The effect of this local law is to control parking throughout the local government to ensure the safe, fair and equitable use of parking facilities under the care and control of the local government.

1.4 Repeal

The *City of Stirling Parking Local Law 2008* published in the *Government Gazette* on 20 March 2009 and as amended and published in the *Government Gazette* on 15 April 2011 is repealed.

1.5 Interpretation

In this local law unless the context otherwise requires -

Act means the *Local Government Act 1995*;

Authorised Person means a person authorised in writing by the local government under section 9.10 of the Act, to perform any of the functions of an Authorised Person under the Act and under this local law;

authorised vehicle means a vehicle authorised by the local government, the CEO or an Authorised Person under this local law or by any other written law to park on a thoroughfare or parking facility;

bicycle has the meaning given to it by the Code;

'bicycle' means a vehicle with 2 or more wheels that is built to be propelled by human power through a belt, chain or gears (whether or not it has an auxiliary motor) -

- (a) including a pedicab, penny-farthing and tricycle; but
- (b) not including a wheelchair, wheeled recreational device, wheeled toy, scooter or a power-assisted pedal cycle (if the motor is operating).

[Regulation 3(1) of the Code]

bicycle path has the meaning given to it by the Code;

'bicycle path' means a length of path beginning at a 'bicycle path' sign or a 'bicycle path' road marking and ending at the nearest of the following:

- (a) an 'end bicycle path' sign, or an 'end bicycle path' road marking;
- (b) a 'separated footpath' sign or a 'separated footpath' road marking;
- (c) a carriageway;
- (d) the end of the path;

Bicycle path sign



End bicycle path sign



Separated footpath sign



[Regulation 3(1) of the Code]

bus has the meaning given to it by the Code;

'bus' means a motor vehicle, built mainly to carry people, that seats over 12 adults (including the driver);

[Regulation 3(1) of the Code]

bus embayment has the meaning given to it by the Code;

'bus embayment' means an embayment at the side of a carriageway, designed so that a public bus can be driven into it, for the purpose of allowing passengers to alight or enter, without impeding the flow of traffic on that carriageway, but does not include a bus lane;
[Regulation 3(1) of the Code]

bus stop has the meaning given to it by the Code;

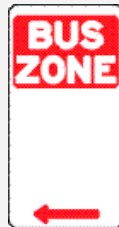
'bus stop' means 'a length of carriageway commencing 20m on the approach side of, and ending 10m on the departure side of, a post indicating that public busses stop at that 'point';
[Regulation 3(1) of the Code]

bus zone has the meaning given to it by the Code;

'bus zone' means a length of carriageway to which a 'bus zone' sign applies;

Bus zone sign

(arrow and background to words in red)



Note There are a number of other permitted versions of this sign.

Note A "bus zone" sign may have an arrow pointing in a different direction and anything on the sign may be differently arranged.[Regulation 3(1) of the Code]

caravan has the meaning given to it by the *Caravan Parks and Camping Grounds Act 1995*;

carriageway has the meaning given to it by the Code;

'carriageway' means a portion of a road that is improved, designed or ordinarily used for vehicular traffic, and includes the shoulders, and areas, including embayments, at the side or centre of the carriageway, used for the stopping or parking of vehicles; and, where a road has 2 or more of those portions divided by a median strip, the expression means each of those portions, separately;
[Regulation 3(1) of the Code]

centre in relation to a carriageway, means a line or a series of lines, marks or other indications -

- (a) for a two-way carriageway – placed so as to delineate vehicular traffic travelling in different directions; or

- (b) in the absence of any such lines, marks or other indications – the middle of the main, travelled portion of the carriageway;

children's crossing has the meaning given to it by the Code;

'children's crossing' means a portion of carriageway between 2 parallel broken or unbroken lines, each approximately 150 millimetres wide and not more than 5 metres apart marked across, or partly across the carriageway and near which a fluorescent red-orange flag or sign bearing the words 'children crossing – stop', are displayed and, where the lines are so marked partly across a carriageway, includes a portion of the carriageway between the prolongations of those lines;

Children crossing — stop sign

(octagonal background in red)

(square background in lime/yellow)



[Regulation 3(1) of the Code]

CEO means the Chief Executive Officer of the local government;

City means the City of Stirling;

clearway means a length of carriageway which carries a high traffic volume that has clearway no stopping signs erected appurtenant to it, to facilitate the unhindered flow of traffic;

Code means the *Road Traffic Code 2000*;

commercial vehicle means -

- (a) a motor vehicle constructed for the conveyance of goods or merchandise, or for the conveyance of materials used in any trade, business, industry or work whatsoever, other than a motor vehicle for the conveyance of passengers; and
- (b) includes any motor vehicle that is designed primarily for the carriage of persons, but which has been fitted or adapted for the conveyance of the goods, merchandise or materials referred to, and is in fact used for that purpose;

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;

crossover means an area of the verge, constructed and used for the purpose of enabling a vehicle to access the adjacent property;

disability parking permit means a current document issued by the National Disability Service (ACN 008 445 485), consisting of –

- (a) an Australian Disability Parking Permit; and
(b) an ACROD Parking Program Card;

dividing strip has the meaning given to it by the Code;

‘dividing strip’ means an area or structure that divides a road lengthways into separate carriageways, but does not include a nature strip, bicycle path, footpath or shared path;

[Regulation 3(1) of the Code]

driver has the meaning given to it by the Road Traffic Act;

‘driver’ means any person driving a vehicle or animal;

[Section 5(1) of the Road Traffic Act]

driveway means an area of land on private property which abuts a crossover and is designed primarily for vehicles to ingress and egress that property;

edge line has the meaning given to it by the Code;

‘edge line’, for a carriageway, means a line marked along the carriageway at or near the far left or far right side of the carriageway;

[Regulation 3(1) of the Code]

electric personal transporter has the meaning given to it by the Code;

‘electric personal transporter’ means a vehicle declared as an electric personal transporter under regulation 230B;

[Regulation 3(1) of the Code]

Regulation 230B of the *Road Traffic Code 2000* states:

“(1) The Minister, by notice published in the *Government Gazette*, may –

- (a) Declare a standard, or type, of appropriate vehicle described in the notice as an electric personal transporter; and
(b) Declare an area described in the notice as an electric personal transporter use area; and
(c) Vary or revoke a previous notice under this regulation.

(2) In subregulation (1)(a) –

appropriate vehicle means a vehicle that has one or 2 wheels that balances itself and is built to be powered primarily or entirely by an electric motor that forms part of the vehicle.”

emergency vehicle has the meaning given to it by the Code;

'emergency vehicle' means a motor vehicle -

- (a) when conveying a police officer on official duty or when that vehicle is stationary at any place connected with the official duty;
- (b) of a fire brigade on official duty, in consequence of a fire or an alarm of fire or of an emergency or rescue operation where human life is reasonably considered to be in danger;
- (c) being an ambulance, answering an urgent call or conveying any injured or sick person to any place for the provision of urgent treatment;
- (d) being used to obtain or convey blood or other supplies, drugs or equipment for a person urgently requiring treatment and duly authorised to carry a siren or bell for use as a warning instrument; or
- (e) duly authorised as an emergency vehicle for the purposes of these regulations, by the Director General;

[Regulation 3(1) of the Code]

footpath has the meaning given to it by the Code;

'footpath' means an area that is open to the public that is designated for, or has as one of its main uses, use by pedestrians;

[Regulation 3(1) of the Code]

GVM (which stands for 'gross vehicle mass') has the meaning given to it by the Code;

'GVM' to means for a vehicle, the maximum loaded mass of the vehicle –

- (a) specified by the manufacturer on an identification plate on the vehicle; or
- (b) if there is no specification by the manufacturer on an identification plate on the vehicle or if the specification is not appropriate because the vehicle is modified – certified by the Director General;

[Regulation 3(1) of the Code]

heavy vehicle means a vehicle or any combination of vehicles that, together with load carried by the vehicle or combination of vehicles exceeds a GVM of 4.5 tonnes;

intersection has the meaning given to it by the Code;

'intersection' means —

- a) the area where 2 or more carriageways meet; or
- b) the area within which vehicles, travelling by, on or from different carriageways

may come into conflict;

[Regulation 3(1) of the Code]

loading zone has the meaning given to it by the Code;

'loading zone' means a length of a carriageway to which a "loading zone" sign applies;

Loading zone sign

(arrow and background to words in red)



Note There are a number of other permitted versions of this sign.

Note A "loading zone" sign may have an arrow pointing in a different direction and anything on the sign may be differently arranged.

[Regulation 3(1) of the Code]

local government means the City of Stirling;

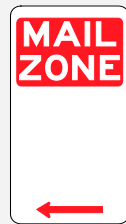
long vehicle means a vehicle or any combination of vehicles that, together with any projection or combination of vehicles is 7.5 metres or more in length;

mail zone has the meaning given to it by the Code;

'mail zone' means the length of carriageway to which a 'mail zone' sign applies;

Mail zone sign

(arrow and background to words in red)



Note A "mail zone" sign may have an arrow pointing in a different direction and anything on the sign may be differently arranged.[Regulation 3(1) of the Code]

median strip has the meaning given to it by the Code;

'median strip' means any physical provision, other than lines, dividing a road to separate vehicular traffic proceeding in opposing directions or to separate 2 one-way carriageways for vehicles proceeding in opposing directions;

[Regulation 3(1) of the Code]

motor cycle has the meaning given to it by the Code;

'motor cycle' means a motor vehicle that has 2 wheels and includes -

- (a) a 2-wheeled motor vehicle with a sidecar attached to it that is supported by a third wheel; and
 - (b) a motor vehicle with 3 wheels that is ridden in the same way as a motor vehicle with 2 wheels,
- but does not include any trailer;

[Regulation 3(1) of the Code]

motor vehicle has the meaning given to it by the Road Traffic Act;

'motor vehicle' -

- (a) in relation to authorisation to drive, means a vehicle that is built to be propelled by a motor that forms part of the vehicle;
- (b) otherwise, means a self-propelled vehicle that is not operated on rails, and includes a trailer, semi-trailer or caravan while attached to the vehicle, but does not include a power assisted pedal cycle;

[Section 5(1) of the Road Traffic Act]

'motor vehicle' does not include a motorised scooter;

[Regulation 3(1) of the Code]

nature strip has the meaning given to it by the Code;

'nature strip' means an area between a carriageway and the front boundary of adjacent land, but does not include a path;

[Regulation 3(1) of the Code]

no parking area has the meaning given to it by the Code;

'no parking area' means -

- (a) a portion of carriageway to which a 'no parking' sign applies; or
- (b) an area to which a 'no parking' sign applies;

No parking sign
(for a length of carriageway)
(circle, slash and arrow in red)



No parking sign
(for an area)
(circle and slash in red)



Note A “no parking” sign may have an arrow pointing in a different direction.

[Regulation 3(1) of the Code]

no parking sign means a sign with the words 'no parking' in red letters on a white background, or the letter 'P' within a red annulus and a red diagonal line across it on a white background;

no stopping area has the meaning given to it by the Code;

'no stopping area' means

- (a) a portion of carriageway to which a 'no stopping' sign applies; or
- (b) an area to which a 'no stopping' sign applies;

No stopping sign
(for a length of carriageway)
(circle, slash and arrow in red)



No stopping sign
(for an area)
(circle and slash in red)



Note A “no stopping” sign may have an arrow pointing in a different direction.

[Regulation 3(1) of the Code]

no stopping sign means a sign with the words 'no stopping' or 'no standing' in red letters on a white background or the letter 'S' within a red annulus and a red diagonal line across it on a white background;

obstruct means to impede or hinder in passing and ‘obstruction’ has a correlative meaning;

occupier has the meaning given to it by the Act;

'occupier' where used in relation to land means the person by whom or on whose behalf the land is actually occupied or, if there is no occupier, the person entitled to possession of the land, and includes a person in unauthorised occupation of Crown land and where under a licence or concession there is a right to take profit of Crown land specified in the licence or concession, means the person having that right;

[Section 1.4 of the Act]

owner means –

- (a) where used in relation to a vehicle licensed under the Road Traffic Act, means the person in whose name the vehicle has been registered under that Act;
- (b) where used in relation to any other vehicle, means the person who owns, or is entitled to possession of that vehicle; and
- (c) where used in relation to land, has the meaning given to it by the Act;

'owner', where used in relation to land —

- (a) means a person who is in possession as —
 - (i) the holder of an estate of freehold in possession in the land, including an estate or interest under a contract or an arrangement with the Crown or a person, by virtue of which contract or arrangement the land is held or occupied with a right to acquire by purchase or otherwise the fee simple;
 - (ii) a Crown lessee or a lessee or tenant under a lease or tenancy agreement of the land which in the hands of the lessor is not rateable land under this Act, but which in the hands of the lessee or tenant is by reason of the lease or tenancy rateable land under this or another Act for the purposes of this Act;
 - (iii) a mortgagee of the land; or
 - (iv) a trustee, executor, administrator, attorney, or agent of a holder, lessee, tenant, or mortgagee, mentioned in this paragraph;
- (b) where there is not a person in possession, means the person who is entitled to possession of the land in any of the capacities mentioned in paragraph (a), except that of mortgagee;
- (c) where, under a licence or concession there is a right to take profit of Crown land specified in the licence or concession, means the person having that right;
- (d) where a person is lawfully entitled to occupy land which is vested in the Crown, and which has no other owner according to paragraph (a), (b), or (c), means the person so entitled;
- (e) means a person who —
 - (i) under the *Mining Act 1978*, holds in respect of the land a mining tenement within the meaning given to that expression by that Act;

- (ii) in accordance with the *Mining Act 1978* holds, occupies, uses, or enjoys in respect of the land a mining tenement within the meaning given to that expression by the *Mining Act 1904*; or
 - (iii) under the *Petroleum Act 1967* holds in respect of the land a petroleum production licence or a petroleum exploration permit within the meaning given to each of those expressions by that Act;
- or
- (f) where a person is in the unauthorised occupation of Crown land, means the person so in occupation;

[Section 1.4 of the Act]

painted island has the meaning given to it by the Code;

'painted island' means an area of road –

- (a) entirely surrounded by a line or lines (whether broken or continuous); or
- (b) surrounded partly by a line or lines (whether broken or continuous) and partly by a kerb on or next to the carriageway,

which may be further identified by stripes or chevrons marked on the enclosed road surface, or by the enclosed road surface being a contrasting colour, but not including the road within a dividing line;

[Regulation 3(1) of the Code]

parents with prams sign means a sign indicating a parking bay set aside for the use of the driver of a vehicle who is accompanied by a young child who is being transported in a pram at the time;

park has the meaning given to it by the Code;

'park' means to permit a vehicle, whether attended or not, to remain stationary, except for the purpose of —

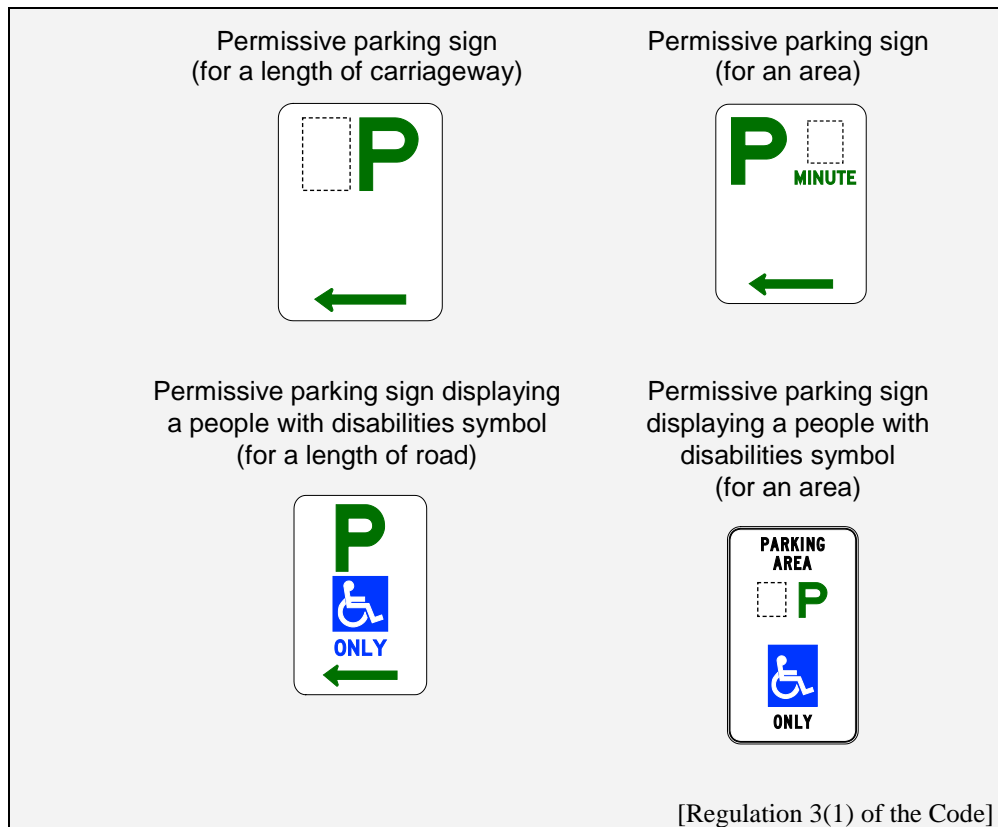
- (a) avoiding conflict with other traffic;
- (b) complying with the provisions of any law; or
- (c) taking up or setting down persons or goods (*maximum of 2 minutes*);

[Regulation 3(1) of the Code]

parking area has the meaning given to it by the Code;

'parking area' means -

- (a) a portion of carriageway to which a 'permissive parking' sign applies; or
- (b) an area to which a 'permissive parking' sign applies;



parking bay means a section or part of a carriageway or parking station which is marked or defined by painted lines, metallic studs, coloured bricks or pavers or similar devices for the purpose of indicating where a vehicle may be parked;

parking control sign has the meaning given to it by the Code;

‘parking control sign’ means any of the following:

- (a) a “bicycle parking” sign;
- (b) a “bus zone” sign or bus stop post;
- (c) a “clearway” sign;
- (d) a “loading zone” sign;
- (e) a “mail zone” sign;
- (f) a “motor cycle parking” sign;
- (g) a “no parking” sign;
- (h) a “no stopping” sign;
- (i) a “people with disabilities parking” sign;
- (j) a “permissive parking” sign;
- (k) a “permissive parking” sign displaying a “people with disabilities” symbol;
- (l) a “taxi zone” sign;
- (m) a “truck zone” sign;
- (p) a “works zone” sign;

[Regulation 3(1) of the Code]

parking facilities means land, buildings, carriageway, shelters, parking areas, parking bays and other facilities open to the public generally for the parking of vehicles and includes signs, notices and facilities used in connection with the parking of vehicles;

parking fee payment equipment means a parking meter, parking ticket machine or other; credit/debit card terminal or other device approved by the local government for payment of the applicable parking fee;

parking permit means a permit issued by the local government under this local law;

parking ticket means a ticket which is issued from a ticket issuing machine and which authorises the parking of a vehicle and includes the date and time of which the authorisation expires;

parking region means the area described in Schedule 1;

parking scheme means the mapped record of the local government, which details the location of parking facilities, parking bay layout and any parking time restrictions, parking prohibitions and special uses like bus or taxi zones, that are applied to those parking facilities;

parking station means any land, or structure provided for the purpose of parking of multiple vehicles;

path has the meaning given to it by the Code;

'path' includes bicycle path, footpath, separated footpath and shared path;
[Regulation 3(1) of the Code]

pay station means a machine or device within or near a parking station, which accepts payment of the fee for the period a vehicle has been parked and issues a token, ticket or other media to activate a barrier to allow the vehicle to exit from the parking station;

pedestrian crossing has the meaning given to it by the Code;

'pedestrian crossing' means a portion of a carriageway-

(a) defined:

(i) by white stripes; or

(ii) by white or yellow stripes (according to the colour of the carriageway) and the portions of the carriageway lying between those stripes,

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;

Pedestrian crossing sign
(background in yellow)



[Regulation 3(1) of the Code]

postal vehicle has the meaning given to it in the Code;

'postal vehicle' means a motor vehicle or bicycle driven or ridden by a person in the course of collecting or delivering postal articles for, or on behalf of, the Australian Postal Corporation;

[Regulation 3(1) of the Code]

pram means a wheeled conveyance which is designed, constructed and is being used for transporting a young child;

Private Property Parking Enforcement Agreement means a written agreement between the City and a property owner or occupier that allows for the enforcement of this local law, or part thereof, upon that property;

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 that is zoned as and used for recreational purposes;
- (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 the meaning of section 3.53 of the Act;

right of way means a portion of land that is -

- (a) shown and marked 'Right of Way' or 'R.O.W', or coloured or marked in any other way to signify that the portion of land is a right of way, on any plan or diagram deposited with the Registrar of Titles that is subject to the provisions of section 167A of the *Transfer of Land Act 1893*;
- (b) shown on a diagram or plan of survey relating to a subdivision that is created as a right of way and vested in the Crown under section 152 of the *Planning and Development Act 2005*; or

(c) shown and marked as a right of way on a map or plan deposited with the Registrar of Titles and transferred to the Crown under the *Transfer of Land Act 1893*,

but does not include -

- (i) a private driveway; or
- (ii) a right of way created by easement between two parties;

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

Schedule means a Schedule to this local law;

seniors sign means a sign indicating a parking bay set aside for the use of the driver of a vehicle who is 60 years of age or over;

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

‘shared zone’ means -

- (a) a length of road with -
 - (i) both a “shared zone” sign and an “end shared zone” sign; and
 - (ii) no intersection between the signs;or
- (b) a length of road with -
 - (i) a “shared zone” sign; and
 - (ii) a dead end; and
 - (iii) no intersection between the sign and the dead end;or
- (c) the network of roads in an area with -
 - (i) a “shared zone” sign on each road into the area, indicating the same number; and
 - (ii) an “end shared zone” sign on each road out of the area;

Shared zone sign
(circle in red)

End shared zone sign



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;

[Regulation 3(1) of the Code]

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;

'special purpose vehicle' means -

- (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;

[Regulation 3(1) of the Code]

stop has the meaning given to it by the Code;

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

[Regulation 3(1) of the Code]

symbol includes 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’ means a vehicle which is used for the purpose of standing or plying for hire, or otherwise for the carrying of passengers for reward, but does not include an omnibus licensed under the *Transport Co-ordination Act 1966* or a vehicle of a class declared by the Director General under subsection (2) not to be a taxi;
[Section 3 of the *Taxi Act 1994*]

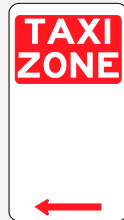
‘taxi-car’ means a vehicle that is used for the purpose of standing or plying for hire or otherwise for the carrying of passengers for reward;
[Section 47Z of the *Transport Co-ordination Act 1966*]

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

‘taxi zone’ means ‘a length of carriageway to which a ‘taxi zone’ applies;

Taxi zone sign

(arrow and background to words in red)



Note There are a number of other permitted versions of this sign.

Note A “taxi zone” sign may have an arrow pointing in a different direction and anything on the sign may be differently arranged.

[Regulation 3(1) of the Code]

thoroughfare has the meaning given to it by the Act;

‘thoroughfare’ means 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;

[Section 1.4 of the Act]

ticket machine means a machine or device which issues, as a result of money or other permitted form of payment being inserted into the machine, a ticket showing the period during which it is lawful to remain parked in the area to which the machine relates;

ticket parking area means a parking area or facility where a sign applies which indicates a parking fee applies by purchase of a ticket;

traffic-control signal has the meaning given to it by the Code;

‘traffic-control signal’ means any light or lights (coloured or otherwise), however

operated, for the control or regulation of traffic, by the use of an illuminated word or words, an illuminated symbol or symbols, a coloured light or coloured lights or any combination of those things;

[Regulation 3(1) of the Code]

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

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

[Regulation 3(1) of the Code]

traffic sign has the meaning given to it by the Code;

'traffic sign' means one of the road signs, marks, structures or devices set out in Schedule 2 or 3 placed, or erected, on or near a road;

[Regulation 3(1) of the Code]

trailer has the meaning given to it by the Code;

'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;

[Regulation 3(1) of the Code]

tour coach means a vehicle licensed as a Tour Coach and displaying "TC" registration plates, which is hired or chartered to carry passengers for the specific purpose of sight seeing and/or tourism;

unattended means the driver has left the vehicle so that the driver is more than 3 metres from the closest point of the vehicle;

unexpired parking ticket means a parking ticket on which a date and a time is printed and the printed time has not expired;

vehicle has the meaning given to it by the Road Traffic Act;

'vehicle' includes —

- (a) every conveyance, not being a train, vessel or aircraft, and every object capable of being propelled or drawn, on wheels or tracks, by any means; and
- (b) where the context permits, an animal being driven or ridden;

[Section 5(1) of the Road Traffic Act]

verge means the part of a thoroughfare between the carriageway and the land which abuts the thoroughfare and includes a nature strip, but does not include a footpath; and

young child means a child under the age of 5 years.

[Clause 1.5 amended by Government Gazette No. 181 of 2015]

1.6 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.

1.7 Application and pre-existing signs

- (1) Subject to subclause (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 subclause (2) may be made on such terms and conditions as the parties may agree.
- (4) A sign that –
 - (a) was erected by the local government or the Commissioner of Main Roads prior to this local law coming into operation; and
 - (b) relates to the parking of vehicles within the parking region, 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.
- (5) An inscription or symbol on a sign referred to in subclause (4) 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.
- (6) The provisions of parts 2, 3, 4 and 5 of this local law do not apply to a bicycle parked at a bicycle rail or bicycle rack.

1.8 Classes of vehicles

For the purposes of this local law, vehicles are divided into classes as follows -

- (a) buses;

- (b) commercial vehicles;
- (c) motor cycles and bicycles;
- (d) taxis; and
- (e) all other vehicles.

1.9 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 that sign and the next sign; or
- (c) is on that side of the thoroughfare nearest to the sign.

1.10 Powers of the local government

The local government may 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.

Part 2 - Parking bays, parking stations and parking areas

2.1 Determination of parking bays, parking stations and parking areas

- (1) The local government may constitute, determine and vary -
 - (a) parking bays;
 - (b) parking stations;
 - (c) parking areas;
 - (d) general no parking or restricted parking zones;
 - (e) permitted time and conditions of parking in parking bays, parking stations and parking areas which may vary with the locality;
 - (f) permitted classes of vehicles which may park in parking bays, parking stations and parking areas;
 - (g) permitted classes of persons who may park in specified parking bays, parking stations and parking areas; and
 - (h) the manner of parking in parking bays, parking stations and parking areas.

- (2) Where the local government makes a determination under subclause (1) it shall erect signs to give effect to the determination.
- (3) Where the local government makes a determination or a resolution under subclause (1)(d) it may erect signs at entry points to the general no parking zone indicating the dates and/or days and times during which the area is a general no parking or restricted parking zone.
- (4) Where the local government makes a determination or a resolution under clause 2.1 it shall record the details and effect in the parking scheme.

2.2 Vehicles to be within a parking bay

- (1) Subject to subclauses (2) and (3) a person shall not park a vehicle in a parking bay in a parking area or parking station otherwise than -
 - (a) if the parking area is within a carriageway, parallel to and as close to the kerb as is practicable;
 - (b) wholly within the parking bay; and
 - (c) if the parking area is within a carriageway, headed in the direction of the movement of traffic on the side of the carriageway in which the bay is situated.
- (2) If a vehicle is too long or too wide to fit completely within a single parking bay then the person parking the vehicle shall do so within the minimum number of parking bays needed to park that vehicle.
- (3) When parking within a parking facility, a person shall not park a vehicle other than in a parking bay.

[Clause 2.2 amended by Government Gazette No. 181 of 2015]

2.3 Parking where fees are payable

A person shall not park a vehicle, or permit a vehicle to remain parked, in a parking station or parking area where a permissive parking sign indicates that a fee is payable, unless -

- (a) the vehicle is parked in compliance with any instructions on or with the sign, or parking fee payment equipment; and
- (b) the necessary fee is paid for each parking bay that the vehicle occupies.

2.4 Parking restrictions in fee paying zones

A person shall not park a vehicle in a fee paying zone except in accordance with signs referable to the zone.

2.5 Parking in a ticket parking zone or ticket parking area

A person shall not park a vehicle, except a motor cycle in a motor cycle bay, in a parking zone, parking area or parking station which is equipped with a parking ticket machine without -

- (a) purchasing a ticket, from the ticket machine for that area, which remains valid for the period the vehicle is parked; and
- (b) displaying the ticket inside the vehicle in a prominent position, in such a manner the date and expiry time is clearly visible by an authorised person from the front of the vehicle at all times while that vehicle remains parked in the ticket parking zone, ticket parking area or parking station.

[Clause 2.5 amended by Government Gazette No. 181 of 2015]

2.6 Methods of payment

- (1) The local government may introduce and apply methods of payment for parking fees which may include but not be limited to payment by -
 - (a) Australian currency including coins and or bank notes;
 - (b) credit or debit card;
 - (c) payment by telephone; or
 - (d) any other approved method of payment.
- (2) The local government may introduce various paid parking processes which may include but not be limited to the following -
 - (a) ticket parking;
 - (b) pay by vehicle registration number;
 - (c) pay by parking bay; or
 - (d) pay on foot.

2.7 Reserved fee paying zones

Unless authorised by the local government a person must not leave or permit a vehicle to remain stopped or parked in a fee paying space or zone if the parking meter or ticket issuing machine is hooded with a cover bearing the words “No Parking”, “Reserved Parking”, “Temporary Bus Stop” or with an equivalent symbol depicting one of these purposes or any other words or symbols that indicate parking is not permitted within the space or zone including temporary signage.

2.8 Use of counterfeit or altered parking tickets

A person must not –

- (a) park a vehicle in a parking facility which requires a parking ticket, if there is displayed in that vehicle so as to be visible from outside the vehicle, a parking ticket which has been counterfeited, altered, obliterated or interfered with; or
- (b) produce to an Authorised Person who accepts payment for parking, a parking ticket which has been counterfeited, altered, obliterated or interfered with.

Part 3 - Parking generally

3.1 Restrictions on parking in particular areas

- (1) A person shall not park a vehicle in a parking station 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, but does not include a clearway.
- (2) Unless a sign or road markings indicate otherwise a person shall not park any portion of a vehicle in a parking station -
 - (a) for more than the maximum time specified;
 - (b) in a bay marked 'M/C' unless it is a motor cycle without a sidecar or a trailer;
 - (c) so as to obstruct an entrance to or an exit from a parking station, or an access way within a parking station; or
 - (d) park or attempt to park a vehicle in a parking bay in which another vehicle is parked.
- (3) Notwithstanding the provisions of subclause (2)(a), a person may park a vehicle in a permissive parking bay or station (except in a parking area for people with disabilities) for twice the length of time allowed, provided that -
 - (a) the person's vehicle displays a current disability parking permit; and
 - (b) a disabled person to whom that disability parking permit relates, is either the driver or a passenger in the vehicle.

- (4) A person shall not park a vehicle or permit a vehicle to remain parked in a parking facility controlled by a sign stating 'Authorised Vehicles Only', without -
- (a) a valid permit displayed inside the vehicle that shall be displayed in a prominent position, in such a manner as to be clearly visible from the front of the vehicle; or
 - (b) prior written permission of the local government, the CEO, or an Authorised Person to park within the area has been obtained and the written permission is displayed in a prominent position, in such a manner as to be clearly visible from the front of the vehicle to indicate it has authorisation to park.

[Clause 3.1 amended by Government Gazette No. 181 of 2015]

3.2 Parking and stopping on a carriageway

- (1) Subclauses (3)(b), (d), (h), (i) and (j) do not apply to a bus which stops in a bus embayment.
- (2) A person parking a vehicle on a carriageway other than in a parking bay 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 carriageway 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 the left or right boundary of the carriageway and headed in the direction of the movement of traffic;
 - (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 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 motor cycle without a trailer, or a bicycle parked in accordance with this local law; or
 - (e) so that it does not obstruct any vehicle on the carriageway, unless otherwise indicated on a parking control sign or markings on the carriageway.
- (3) A person shall not stop a vehicle on a carriageway so that any portion -
 - (a) *deleted*

- (b) obstructs 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;
- (c) is alongside or opposite any excavation, works, hoarding, scaffolding or obstruction on the carriageway if the vehicle would obstruct traffic;
- (d) is on or within 10 metres of any portion of a carriageway bounded by a traffic island;
- (e) is on any pedestrian crossing;
- (f) is within 10 metres of the departure side or within 20 metres of the approach side of a children's crossing or pedestrian crossing;
- (g) is within 20 metres of either the approach side or the departure side of the nearest rail of a railway level crossing;
- (h) is between the boundaries of a carriageway and any continuous dividing line, or median strip, or dividing strip, or traffic island, or painted island, unless there is a distance of at least 3 metres clear between the vehicle and the nearer continuous dividing line, median strip, dividing strip, traffic island or painted island;
- (i) is contrary to a clearway sign referable to that part;
- (j) if by a sign it is set apart for the parking of vehicles of a different class; or
- (k) if by a sign it is set apart for the parking of vehicles by persons of a different class,

unless the person stops the vehicle at a place on a length of carriageway, or in an area, to which a parking control sign applies and the person is permitted to stop at that place under this local law.

[Clause 3.2 amended by Government Gazette No. 181 of 2015]

3.3 When parallel and right-angled parking apply

- (1) 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; or

- (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.
- (2) Clause 3.3(1)(a) does not apply to the rider of a motor cycle if the rider positions the motor cycle so at least one wheel is as near as practicable to the far left or far right side 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 a motor cycle without a trailer.
- (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 marks on the carriageway that indicate the required angle of parking.
- (3) Where a sign associated with an angle parking area is inscribed with the words 'reverse in' a person parking a vehicle in the area shall reverse the vehicle into the parking bay so that the vehicle is driven forward when it is leaving the parking bay.

3.5 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 for any period exceeding one hour, unless actively engaged in the picking up or setting down of goods; or
 - (b) on a carriageway except on the shoulder of the carriageway, or in a truck bay or other area set aside for the parking of heavy or long vehicles.
- (2) Nothing in this clause mitigates the limitations or condition imposed by any other clause in this local law, any other written law or traffic sign relating to the parking or stopping of vehicles.

3.6 Authorised Person may order vehicle on thoroughfare to be moved

A person shall not park a vehicle on any part of a thoroughfare in contravention of this local law after an Authorised Person has directed that person to move the vehicle.

3.7 Authorised Person

- (1) An Authorised Person –
 - (a) 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;
 - (b) take a valve stem reading of the vehicle;
 - (c) record vehicle registration numbers; and
 - (d) place a notice or parking fact sheet upon a vehicle.
- (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) An Authorised Person may in the course of performing his duties, park contrary to the provisions of a parking control sign for the minimum amount of time required to complete those duties.

3.8 No movement of vehicles to avoid time limitation

- (1) Where the parking of vehicles 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, unless the vehicle has first been removed from the parking facility for at least one hour.
- (2) Where the parking of vehicles in a thoroughfare is permitted for a limited time, a person shall not move a vehicle along a section of thoroughfare so that the total time of parking exceeds the maximum time permitted, unless the vehicle has first been removed from that section of thoroughfare for at least one hour.
- (3) *A section of thoroughfare* ends and another begins whenever an intersecting carriageway occurs.

3.9 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 or hire;
- (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.

3.10 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*; or
 - (c) which is an 'otherwise unvested facility' within section 3.53 of the Act.
- (2) A person shall not park a vehicle on private 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 private 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.
- (4) The owner or occupier of private land shall not permit a Private Property Parking Enforcement Agreement sign to remain erected and visible to the public if the owner or occupier no longer has a current private property parking enforcement agreement with the local government.

3.11 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.

3.12 Right of ways

A person must not park a vehicle at anytime in a right of way.

3.13 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 subclause (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.

3.14 Event parking

- (1) For the purpose of this clause an *event* means an activity or occurrence approved by the local government which warrants the setting aside of any parking facility.
- (2) The local government may by use of signs set aside for any period specified on the signs, any parking facility for the parking of vehicles by persons attending an event.
- (3) A person must not park a vehicle in a parking facility set aside under sub-clause (2) during the period for which it is set aside unless -
 - (a) a ticket purchased from the local government with respect to the event shall be displayed in a prominent position, in such a manner as to be clearly visible from the front of the vehicle;
 - (b) such alternate method of payment for parking as may be authorised by the local government is made; or
 - (c) such alternative method of parking control as authorised by the local government has been actioned.

Part 4 - Parking and stopping generally

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

- (1) A person shall not stop a vehicle on a length of carriageway or in an area to which a 'no stopping' sign applies.
- (2) A person shall not stop a vehicle at the side of a carriageway marked with a continuous yellow edge line.
- (3) A person shall not park a vehicle on a length of carriageway or in an area to which a 'no parking' sign applies, unless the driver -
 - (a) is 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.

4.2 Stopping at intersections

- (1) A person shall not stop any portion of a vehicle on a thoroughfare within 20 metres from the nearest point of an intersecting carriageway at an intersection with traffic-control signals, unless the person stops at a place on a length of thoroughfare, or in an area, to which a parking control sign applies and the person is permitted to stop at the place under this local law.

- (2) A person shall not stop any portion of a vehicle on a thoroughfare so that any portion of the vehicle is within 10 metres of the prolongation of the nearer edge of any intersecting carriageway (without traffic-control signals) intersecting that carriageway on the side on which the vehicle is stopped, unless the person stops –
- (a) at a place on the thoroughfare, or in an area, to which a parking control sign applies and the person is permitted to stop at that place under this local law; or
 - (b) if the intersection is a T- intersection – along the continuous side of the continuing carriageway at the intersection.

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 -

- (a) unless it is a commercial vehicle continuously engaged in the picking up or setting down of goods;
- (b) for longer than a time indicated on the loading zone sign; or
- (c) 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 person shall not stop a vehicle in a taxi zone, unless that person is driving a taxi.
- (2) A person shall not stop a vehicle in a bus zone unless that vehicle is a bus 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 unless authorised under a written law.

5.4 Construction site vehicle parking

- (1) In this clause unless the context otherwise requires -

construction site means any land subject to development;

construction site vehicle means a commercial vehicle or a heavy goods vehicle;

daily fee means the applicable daily fee as determined in accordance with section 6.16 of the Act;

development means the demolition, erection, construction, alteration of or addition to any building or structure on land or the carrying out on land of any excavation or other works;

eligible person means an owner or occupier of a construction site or any builder carrying out work on a construction site;

establishment fee means the applicable establishment fee as determined in accordance with section 6.16 of the Act;

work zone means any carriageway or part of a carriageway, whether or not marked as a metered space, parking bay or ticket machine zone, which is set aside by the local government by a sign, for a period specified on the sign, for the stopping or parking of construction site vehicles.

- (2) An eligible person seeking to establish a work zone adjacent to a construction site may apply in writing to the local government, which may approve or refuse the application.
- (3) Where the local government approves an application, it is to give the applicant written notice specifying -
 - (a) the number and location of work zones the applicant may use;
 - (b) the times during which the stopping or parking of construction site vehicles is permitted in the work zone;
 - (c) the period for which the approval is valid;
 - (d) any conditions to which the approval of the local government is subject; and
 - (e) the amount of the establishment fee and daily fee applicable.
- (4) The local government is to set aside a work zone in accordance with the notice referred to in sub-clause (3) within 14 days from the date of payment of the establishment fee.
- (5) An eligible person must, in addition to the establishment fee, pay to the local government a daily fee for each day that a work zone is set aside.
- (6) The daily fee is payable monthly in advance.
- (7) Where the local government has approved an application to establish a work zone adjacent to a construction site, the local government may cancel its approval by written notice to the applicant in the event that, the applicant or any person authorised by the applicant to use the work zone stops or parks a vehicle other than in accordance with -
 - (a) any condition stipulated in the notice issued to the applicant pursuant to sub-clause (3);

- (b) any sign applicable to the work zone;
 - (c) the applicant fails to pay the daily fee as required pursuant to subclause (5); or
 - (d) if the local government or a person authorised by the local government requires access to or near the place where the work zone is situated, for the purposes of carrying out works in or near the vicinity of that place.
- (8) A person must not stop or park a vehicle in a work zone unless the person is driving a vehicle that is -
- (a) engaged in construction work in or near the zone; or
 - (b) permitted to stop in the works zone in accordance with this local law.

5.5 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.

Part 6 - Other places where stopping is restricted

6.1 Stopping in a shared zone

A person shall not stop a vehicle in a shared zone unless -

- (a) the person stops a vehicle at a place on a length of carriageway, or in an area, to which a parking control sign applies and the person is permitted to stop at that place under this local law;
- (b) the person stops a vehicle in a parking bay and the person is permitted to stop in the parking bay under this local law; or
- (c) the person 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 person 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 vehicle stopped in traffic; or
 - (b) a vehicle angle parking on the side of the carriageway or in a median strip parking area, in accordance with this local law.

6.3 Stopping near an obstruction

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

6.4 Stopping in a bus lane, transit lane or truck lane

A driver shall not stop in -

- (a) a bus lane;
- (b) a transit lane;
- (c) a truck lane; or
- (d) a bicycle lane,

unless the driver is driving a public bus or taxi, and is dropping off, or picking up, passengers.

6.5 Stopping on a bridge, causeway, ramp or in a tunnel

- (1) A person 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 sign does not prohibit stopping or parking; or
 - (b) the person stops a vehicle at a place on a length of carriageway, or in an area to which a parking control sign applies and the person is permitted to stop at that place under this local law.
- (2) A person 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 sign does not prohibit stopping or parking; or
 - (b) the vehicle is a bus stopped 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.

6.6 Stopping on crests and curves

- (1) Subject to subclause (2), a person shall not stop a vehicle on, or partly on, a carriageway within the parking region, in any position where it is not visible to the driver of an overtaking vehicle, from a distance of 50 metres.
- (2) A person may stop a vehicle on a crest or curve on a carriageway within the parking region if the vehicle stops at a place on the carriageway, or in an

area, to which a parking control sign applies and the vehicle is permitted to stop at that place under this local law.

6.7 Stopping near a fire hydrant

A person 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 person is driving a public bus, and stops in a bus zone or at a bus stop and does not leave the bus unattended; or
- (b) the person is driving a taxi and stops in a taxi zone and does not leave the taxi unattended.

6.8 Stopping near a bus stop

(1) A person 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 10 metres 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 person stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the person is permitted to stop at that place under this local law.

(2) In this clause a trailer attached to a public bus is deemed to be a part of the public bus.

6.9 Stopping on a path, dividing strip, median strip, traffic island or painted island

The driver of a vehicle (other than a bicycle, an electric personal transporter or an animal) shall not stop so that any portion of the vehicle is on a path, dividing strip, median strip, traffic island or painted island, 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 this local law.

[Clause 6.9 amended by Government Gazette No. 181 of 2015]

6.10 Stopping on a verge

(1) A person shall not stop -

- (a) a vehicle (other than a bicycle);
- (b) a commercial vehicle with a GMV in excess of 2.5 tonnes, or bus, or a trailer or caravan unattached to a motor vehicle; or
- (c) a vehicle during any period when 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) Subclause (1)(a) does not apply to the driver if he or she is the owner or occupier of a premises that abuts the verge or is a person authorised by the owner or occupier of those premises to park the vehicle so that any portion of it is on the verge.
- (3) Subclause (1)(b) does not apply to a commercial vehicle when it is being loaded or unloaded with reasonable expedition with goods or materials collected from or delivered to the premises that abuts the verge on which the commercial vehicle is parked, (but in any event not for any period exceeding 3 consecutive hours between the hours of 7am and 6pm WAST and not at any other time), provided no obstruction is caused to the passage of any other vehicle or person using a carriageway or path.
- (4) Notwithstanding subclause (2) and (3), clause 4.2 applies.

6.11 Driving over a residential verge

A person must not drive a vehicle over or across a residential verge adjacent to a length of carriageway to access a private driveway or an adjacent verge.

6.12 Obstructing access to a path or crossover

- (1) A person shall not stop a vehicle so that any portion of the vehicle is in front of a path or in a position that obstructs access or egress by other vehicles or pedestrians to that path, unless -
 - (a) the driver is dropping off or picking up passengers and shall not remain for longer than 2 minutes; or
 - (b) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under this local law.
- (2) A person shall not stop a vehicle on or across a crossover or other way of access for vehicles travelling to or from adjacent land, unless -
 - (a) the vehicle is dropping off, or picking up, passengers and shall not remain for longer than 2 minutes;
 - (b) the vehicle stops in a parking bay and the vehicle is permitted to stop in the parking bay under this local law; or
 - (c) the driver is the owner or occupier of the premises that abuts the crossover or is a person permitted by the owner or occupier of the premises.
- (3) A person shall not park a vehicle on a crossover if any portion of the vehicle obstructs a footpath or prolongation thereof.

6.13 Stopping near a public letter box

A person shall not stop a vehicle other than a postal vehicle, so that any portion of the vehicle is within 3 metres of a public letter box, unless the vehicle stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the vehicle is permitted to stop at that place under this local law.

6.14 Stopping on a carriageway with a bicycle parking sign

A person shall not stop a vehicle (other than a bicycle) on a length of carriageway to which a 'bicycle parking' sign applies, unless the vehicle is dropping off or picking up passengers.

6.15 Stopping on a carriageway with motor cycle parking sign

A person shall not stop a vehicle on a length of carriageway, or in a parking bay to which a 'motor cycle parking' sign applies, or an area marked 'M/C', unless the vehicle is a motor cycle.

Part 7 - Residential parking permits

7.1 Eligibility for a residential parking permit

The local government may issue a residential parking permit to a person who is -

- (a) the occupier of a residential dwelling adjoining a carriageway within the parking region; and
- (b) the owner of a vehicle registered under the Road Traffic Act at the address shown on the application for the residential parking permit.

7.2 Types of residential parking permits

The residential parking permit may be issued as -

- (a) an annual permit for a period of not more than 12 months, expiring on 31 December of the year of issue; or
- (b) a temporary residential parking permit for a period of not more than 6 months.

7.3 Where residential parking permits apply

Where the parking of a vehicle on any part of a carriageway within the parking region is prohibited for more than a specified time, or in a ticket parking zone without an unexpired parking ticket being displayed within the vehicle, or in a parking fee zone requiring the fee to be paid, the holder of a permit issued under this clause is exempt from such prohibition – provided that such exemption shall only apply -

- (a) to the part of the carriageway specified in the permit;

- (b) if the permit is displayed inside the vehicle in a prominent position, in such a manner as to be clearly visible from the front of the vehicle;
- (c) if the permit was validly issued and has not expired; and
- (d) if the permit holder occupies the premises in respect of which the permit is issued.

7.4 Where residential parking permits do not apply

The residential permit does not apply to -

- (a) areas covered by paid parking, except in an area designated by the local government; or
- (b) adjacent to commercial premises where time limited parking applies.

7.5 Return of residential parking permits to the local government

A residential parking permit holder who ceases to occupy the premises or own a vehicle for which a residential parking permit was issued, shall remove any permit displayed in or affixed to the windscreen of any vehicle and return the permit(s) to the local government.

7.6 Revoking a residential parking permit

The local government may revoke a residential parking permit or visitor parking permit if the permit holder breaches any of the conditions for its use or the prerequisites for the issue of the permit no longer apply.

7.7 Counterfeit or altered residential parking permit

A person must not use or display in a vehicle, a residential or visitors parking permit that has in any way been counterfeited, altered, obliterated or interfered with.

7.8 Residential parking permit replacement

The local government may issue a replacement residential or visitors parking permit when a written application is made and the appropriate fee is paid.

7.9 Fees payable

Fees payable for the issue of a permit shall be determined in accordance with section 6.16 of the Act.

Part 8 - Miscellaneous

8.1 Impersonating an Authorised Person

A person who is not an Authorised Person of the local government must not impersonate or assume the duties of an Authorised Person.

8.2 Obstructing an Authorised Person

A person must not obstruct or hinder an Authorised Person in the execution of his or her duties.

8.3 Removal of notices from a vehicle

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

8.4 Unauthorised signs and defacing 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.

8.5 Contravention of signs

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.

8.6 General provisions about signs

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.

8.7 Damage to parking areas and associated infrastructure

- (1) A person shall not, nor attempt to, remove, damage, deface, misuse or interfere with any part of a parking station, parking facility, parking area or any infrastructure appurtenant to those areas.

- (2) A person shall not operate or attempt to operate a ticket issuing machine or pay station except in accordance with the operating instructions appearing on those devices.

8.8 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 performing 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;
- (b) an emergency vehicle may, in the course of performing 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.

8.9 Vehicles not to obstruct a public place

- (1) A person shall not park or 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 vehicle which is parked in any portion of a public place where vehicles may be lawfully parked, is deemed to cause an obstruction and may be impounded where -
 - (a) the vehicle is parked for any period exceeding 24 hours;
 - (b) the vehicle is so parked during any period in which the parking of vehicles is prohibited or restricted by a sign; or
 - (c) the vehicle is abandoned, unregistered or disused.

Part 9 - Penalties

9.1 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 less than \$250 and not exceeding \$5 000 and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 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.

9.2 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 1 of the *Local Government (Functions and General) Regulations 1996*;
- (b) the form of the infringement notice referred to in section 9.17 of the Act is that of Form 2 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; and
- (c) the form of the infringement withdrawal notice referred to in section 9.20 of the Act is that of Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

Schedule 1 - Parking Region

[Clause 1.7(1)]

The parking region is the whole area within the boundaries of the local government but excludes the following portions:

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

[Clause 9.1(4)]

Item No.	Clause No.	Nature of offence	Modified penalty \$
1.	2.2(1)(b)	Failure to park wholly within parking bay	80
2.	2.2(1)(c)	Parking against the flow of traffic within a parking bay	80
3.	2.2(3)	Failure to park other than in a marked bay	80
4.	2.3(a)	Parked in fee paying area contrary to instructions	80
5.	2.3(b)	Necessary fees not paid	80
6.	2.4	Parking contrary to signage where fees are payable	80
7.	2.5(a)	Parking with an expired parking ticket	60
8.	2.5(b)	Failing to clearly display parking ticket	80
9.	2.7	Stopping a vehicle when stopping is not permitted within a fee paying zone	80
10.	2.8	Use counterfeit or altered parking ticket	500
11.	3.1(1)(a)	Parking wrong class of vehicle	80
12.	3.1(1)(b)	Parking by persons of a different class	80
13.	3.1(1)(c)	Parking during prohibited period, excluding clearways	80
14.	3.1(2)(a)	Parked in excess of maximum time	80
15.	3.1(2)(b)	Parking vehicle in motor cycle only area	80
16.	3.1(2)(c)	Causing obstruction in parking station	80
17.	3.1(2)(d)	Parking or attempting to park a vehicle in a parking bay occupied by another vehicle	80
18.	3.1(4)(b)	Parking without permission in an area designated for 'Authorised Vehicles Only'	80
19.	3.2(2)(a)	Failure to park as near as practicable to the left side of the carriageway	80
20.	3.2(2)(b)	Failure to park as near as practicable to the side of the carriageway along a one way carriageway	80
21.	3.2(2)(c)	Parked within 3 metres of the farther carriageway boundary or a vehicle parked on the farther carriageway boundary	80
22.	3.2(2)(d)	Parking closer than 1 metre from another vehicle	80
23.	3.2(2)(e)	Causing obstruction	80
24.	<i>deleted</i>		
25.	3.2(3)(b)	Denying reasonable access to a private drive or right of way or carriageway	100

Item No.	Clause No.	Nature of offence	Modified penalty \$
26.	3.2(3)(c)	Stopped beside excavation or obstruction so as to obstruct traffic	80
27.	3.2(3)(d)	Stopped within 10 metres of traffic island	80
28.	3.2(3)(e)	Stopped on pedestrian crossing	100
29.	3.2(3)(f)	Stopped vehicle within 10 metres of departure side or 20 metres approach side of a children's or pedestrian crossing	80
30.	3.2(3)(g)	Stopped vehicle within 20 metres of approach side or departure side of railway level crossing	80
31.	3.2(3)(h)	Stopped within 3 metres of a continuous dividing line, or median strip, or dividing strip, or traffic island, or painted island	80
32.	3.2(3)(i)	Stopping in a clearway	150
33.	3.2(3)(j)	Stopped in an area set aside for vehicles of a different class	80
34.	3.2(3)(k)	Stopped in an area set aside for persons of a different class	80
35.	3.3(1)(a)	Failure to park as near as practicable or parallel with the boundary	80
36.	3.3(1)(b)	Failure to park at approximate right angle	80
37.	3.4(2)	Failure to park at an appropriate angle	80
38.	3.4(3)	Vehicle not reversed in to a parking bay in accordance with signage	80
39.	3.5(1)(a)	Parking a Heavy or Long vehicle on a carriageway in excess of 1 hour when not actively engaged in loading or unloading	80
40.	3.5(1)(b)	Parking a Heavy or Long vehicle not on the shoulder of a carriageway or other specified area	80
41.	3.6	Parking contrary to directions of Authorised Person	100
42.	3.7(2)	Removing a mark made by an Authorised Person	100
43.	3.9(a)	Parking in thoroughfare for purpose of sale	80
44.	3.9(b)	Parking unlicensed vehicle in thoroughfare	80
45.	3.9(c)	Parking a trailer or caravan on a thoroughfare unattached to a motor vehicle	80
46.	3.9(d)	Parking in thoroughfare in order to effect repairs	80
47.	3.10(2)	Parking on private land without consent	80
48.	3.10(3)	Parking on land not in accordance with consent	80
49.	3.10(4)	Displaying a Private Property Parking Enforcement Agreement sign without a current Private Property Parking Enforcement Agreement	100
50.	3.11	Driving or parking on reserve	100
51.	3.12	Vehicle parked in a right of way	80

Item No.	Clause No.	Nature of offence	Modified penalty \$
52.	3.13(2)	Parked without authorisation	80
53.	4.1(1)	Stopping contrary to a 'no stopping sign'	100
54.	4.1(2)	Stopping within continuous yellow line	100
55.	4.1(3)	Parked in a no parking area	80
56.	4.2(1)	Parking on thoroughfare within 20 metres of a signalled intersection	100
57.	4.2(2)	Parking on thoroughfare within 10 metres of an intersection	100
58.	5.1(a)	Not engaged in loading or unloading whilst stopped in a loading zone	80
59.	5.1(b),(c)	Stopped in a loading zone in excess of maximum time allowed	80
60.	5.2	Stopping unlawfully in a taxi zone or bus zone	80
61.	5.3	Stopping unlawfully in a mail zone	80
62.	5.4(8)	Unauthorised stopping in a work zone	80
63.	6.1	Stopping unlawfully in a shared zone	80
64.	6.2(1)	Double parking	100
65.	6.3	Stopping near an obstruction	80
66.	6.4(a)	Stopping in a bus lane	150
67.	6.4(b)	Stopping in a transit lane	150
68.	6.4(c)	Stopping in a truck lane	150
69.	6.4(d)	Stopping in a bicycle lane	150
70.	6.5(1)	Stopping on a bridge, causeway or ramp	100
71.	6.5(2)	Stopping in a tunnel or underpass	100
72.	6.6(1)	Stopping on crests or curves	100
73.	6.7	Stopping within 1 metre of fire hydrant or fire plug	80
74.	6.8(1)	Stopping near bus stop	80
75.	6.9	Stopping on path, or dividing strip, or median strip, or traffic island or painted island	100
76.	6.10(1)(a)	Stopping on verge without consent of owner or occupier	80
77.	6.11	Driving over a residential verge	80
78.	6.12(1)	Vehicle stopped causing an obstruction to a path	100
79.	6.12(2)	Stopped on or across a crossover to deny access	100
80.	6.12(3)	Stopped on or across a crossover obstructing a footpath	100
81.	6.13	Stopping within 3 metres of a public letter box	80
82.	6.14	Stopping in bicycle parking area	80
83.	6.15	Stopping in a motor cycle parking area	80

Item No.	Clause No.	Nature of offence	Modified penalty \$
84.	7.3(b)	Permit not displayed	80
85.	7.3(c)	Displaying an expired permit	80
86.	7.7	Use of a counterfeit or altered parking permit	500
87.	8.1	Impersonating an Authorised Person	500
88.	8.2	Obstructing an Authorised Person	150
89.	8.4(a)	Unauthorised exhibition of a parking control sign	100
90.	8.4(b)	Misuse or deface a sign exhibited by the local government	100
91.	8.4(c)	Affix anything to a sign exhibited by the local government	100
92.	8.7(1)	Cause or attempting to cause damage to a parking area or associated infrastructure	500
93.	8.7(2)	Operating a ticket machine or pay station not in accordance with instructions	100
94.	8.9(1)	Leaving vehicle so as to obstruct a public place	80
95.	8.9(2)(a)	Vehicle parked in excess of 24 hours	80
96.	8.9(2)(c)	Parking unregistered vehicle in a thoroughfare	80
97.		All other offences not specified	80

[Schedule 1 amended by Government Gazette No. 181 of 2015]

Dated: 17 April 2014

The Common Seal of the City of Stirling was affixed by authority of a resolution of the Council
in the presence of –

GIOVANNI ITALIANO, Mayor

TREVOR HOLLAND, Acting Chief Executive Officer