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LOCAL GOVERNMENT ACT 1995

CITY OF CANNING

PARKING LOCAL LAW 2010

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LOCAL GOVERNMENT ACT 1995

CITY OF CANNING

PARKING LOCAL LAW 2010

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Canning resolved on 9th November 2010 to make the following local law.

PART 1— PRELIMINARY**1.1 Citation**

This local law is cited as the *City of Canning Parking Local Law 2010*.

1.2 Commencement

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

1.3 Repeal

The following local laws are repealed—

Part XIII of the *City of Canning Consolidated Local Laws* relating to Parking and Parking Facilities, published in the *Government Gazette* on 31 March 2000.

1.4 Application

(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 City, unless the City 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.

1.5 Definitions

In this Local Law unless the context otherwise requires—

“**ACROD sticker**” has the meaning given to it in the Code;

“**Act**” means the *Local Government Act 1995*;

“**authorised person**” means a person authorised by the City under section 9.10 of the Act, to perform any of the functions of an authorised person under this local law;

“**authorised vehicle**” means a vehicle authorised by the CEO, an authorised person or by any written law to park on a thoroughfare or parking facility;

“**bay**” includes “stall” and “space”;

“**bicycle**” has the meaning given to it in the Code;

“**bicycle path**” has the meaning given to it in the Code;

“**bicycle lane**” has the meaning given to it in the Code;

“**bicycle path road marking**” has the meaning given to it in the Code;

“**bus**” has the meaning given to it in the Code;

“**bus embayment**” has the meaning given to it in the Code;

“**bus lane**” has the meaning given to it in the Code;

“**bus lane road marking**” has the meaning given to it in the Code;

“**bus stop**” has the meaning given to it in the Code;

“**bus zone**” has the meaning given to it in the Code;

“**caravan**” means a vehicle that is fitted or designed to allow human habitation and which is drawn by another vehicle, or which is capable of self-propulsion;

“**carriageway**” has the meaning given to it in the Code;

“**centre**” has the meaning given to it in the Code;

- “**children’s crossing**” has the meaning given to it in the Code;
- “**CEO**” means the Chief Executive Officer of the City and includes an Acting Chief Executive Officer;
- “**City**” means the City of Canning;
- “**Code**” means the *Road Traffic Code 2000*;
- “**commercial vehicle**”—
- (a) means 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**” has the meaning given to it in the Code;
- “**district**” means the district of the City;
- “**dividing strip**” has the meaning given to it in the Code;
- “**driver**” means any person driving or in control of a vehicle;
- “**dwelling unit**” means premises lawfully used for self contained living quarters;
- “**edge line**” has the meaning given to it in the Code;
- “**eligible person**” where used in relation to an application for a—
- (a) residential parking permit means a single house occupier, a unit occupier or a unit owner;
 - (b) visitor’s parking permit means—
 - (i) a single house occupier;
 - (ii) a strata company;
 - (iii) a unit owner of a residential unit which is not a strata lot;
- “**emergency vehicle**” has the meaning given to it in the Code;
- “**footpath**” has the meaning given to it in the Code;
- “**GVM**” (which stands for “gross vehicle mass”) has the meaning given to it in the Code;
- “**intersection**” has the meaning given to it in the Code;
- “**keep clear marking**” has the meaning given to it in the Code;
- “**kerb**” means and includes the constructed border or edge of the portion of a road paved for the use of vehicular traffic where any constructed border exists at the edge of the paved road whether any footpath has been constructed or not;
- “**level crossing**” has the meaning given to it in the Code;
- “**loading zone**” has the meaning given to it in the Code;
- “**mail zone**” has the meaning given to it in the Code;
- “**median strip**” has the meaning given to it in the Code;
- “**motor cycle**” has the meaning given to it in the Code;
- “**motor vehicle**” has the meaning given to it in the Road Traffic Act;
- “**nature strip**” has the meaning given to it in the Code;
- “**no parking area**” has the meaning given to it in the Code;
- “**no parking sign**” means a sign with 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 sign**” means a sign with the letter “S” within a red annulus and a red diagonal line across it on a white background;
- “**obstruction**” has the meaning given to it in the Code;
- “**occupier**” has the meaning given to it in the Act;
- “**one-way carriageway**” has the meaning given to it in the Code;
- “**owner**”—
- (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;
- “**painted island**” has the meaning given to it in the Code;
- “**park**” has the meaning given to it in the Code;
- “**parking area**” has the meaning given to it in the Code;
- “**parking bay**” means a section or part of a thoroughfare or of a 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, but does not include a metered bay;

“**parking control sign**” has the meaning given to it in the Code;

“**parking facilities**” includes—

- (a) land, buildings, shelters, parking stations, metered zones, metered bays, parking bays and other facilities open to the public generally for the parking of vehicles, with or without charge; and
- (b) signs, notices and facilities used in connection with the parking of vehicles;

“**parking meter**” means a ticket issuing machine and includes the stand on which the ticket issuing machine is erected;

“**parking region**” means the area described in Schedule 1;

“**parking station**” means any land, or structure provided for the purpose of accommodating vehicles, with or without charge, but does not include a metered zone or metered bay;

“**path**” has the meaning given to it in the Code;

“**pedestrian**” has the meaning given to it in the Code;

“**pedestrian crossing**” has the meaning given to it in the Code;

“**property line**” means a lateral boundary of the thoroughfare;

“**public bus**” has the meaning given to it in the Code;

“**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 City;
- (b) of which the City 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;

“**residential parking permit**” means a permit issued to a resident by the City pursuant to clause 7.3(1);

“**residential unit**” means a dwelling unit which is part of a building adjacent to a part of a thoroughfare on which thoroughfare the stopping or parking of vehicles is prohibited for more than a specified period and which building contains—

- (a) two or more dwelling units with or without any non-residential units;
- (b) one dwelling unit with one or more non residential units;

“**right of way**” means any lane, passage, thoroughfare, way, whether private or public, over which any person in addition to the owner has a right of carriageway;

“**road**” has the same meaning as “**carriageway**”;

“**road marking**” has the meaning given to it in the Code;

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

“**Schedule**” means a Schedule to this local law;

“**shared zone**” has the meaning given to it in the Code;

“**shared path**” has the meaning given to it in the Code;

“**sign**” includes a traffic sign, inscription, mark, structure or device on which may be shown words, numbers, expressions or symbols—

- (a) approved by the City;
- (b) 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; and
- (c) includes a “parking control” sign ;

“**special purpose vehicle**” has the meaning given to it in the Code;

“**strata company**” has the meaning given to it in the *Strata Titles Act 1985*;

“**symbol**” includes any symbol specified by Australian Standard 1742.11, as amended from time to time, 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;

“**T-intersection**” has the meaning given to it in the Code;

“**taxi**” has the meaning given to it in the Code;

“**taxi zone**” has the meaning given to it in the Code;

“**thoroughfare**” has the meaning given to it in the Act;

“**ticket issuing machine**” means a parking meter which issues, as a result of money being inserted in the machine or such other form of payment as may be permitted to be made, a ticket showing the period during which it is to be lawful to remain parked in a metered bay to which the machine is referable;

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

“**trailer**” has the meaning given to it in the Code;

“**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;

“**unit occupier**” means a person who is an occupier of a residential unit but does not include a unit owner;

“**unit owner**” means a person who is an owner of a residential unit;

“**vehicle**” has the meaning given to it in the Road Traffic Act;

“**visitor’s parking permit**” means a permit issued by the City pursuant to clause 7.3(2); and

“**verge**” has the same meaning as “nature strip”.

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 Pre-existing signs

(1) A sign that—

(a) was erected by the City 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,

is to be deemed for the purposes of this local law to have been erected by the City under the authority of this local law.

(2) An inscription, word, number, expression or symbol on a sign referred to in subclause (1) operates and has effect according to its tenor, and where the inscription, word, number, expression or symbol on a sign referred to in subclause (1) relates to the stopping of vehicles, it is to be deemed for the purposes of this local law to operate and have effect as if it related to the parking of vehicles.

1.8 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.

1.9 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 the sign and the next sign beyond that sign; and

(c) is on that side of the thoroughfare nearest to the sign.

1.10 Powers of the City

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

1.11 Notes do not form part of the local law

(1) In this local law notes are included in a boxed format.

(2) The purpose of including notes is to assist the reader in the interpretation or administration of this local law.

(3) The notes are to be treated as footnotes and are not part of this local law (see section 32(2) of the *Interpretation Act 1984*).

PART 2—STOPPING GENERALLY

2.1 No stopping

(1) A driver shall not stop on a part of a carriageway, or in an area—

(a) to which a “no stopping” sign applies; or

(b) during the times a sign specifies a “no stopping” restriction is in operation; or

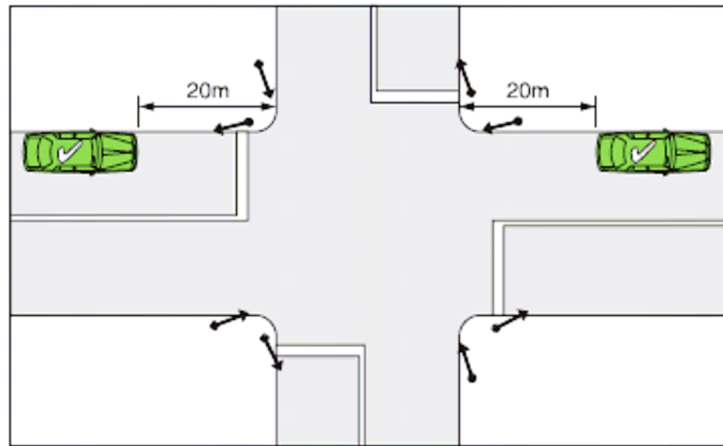
(c) where the stopping of vehicles is permitted for a specified time and the vehicle has been stopped for longer than that time.

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

(3) Unless a sign indicates otherwise, a person shall not stop a vehicle so that any portion of the vehicle is—

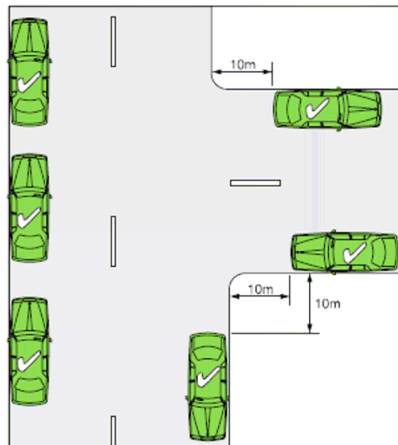
(a) within 20 metres from the nearest point of an intersecting carriageway at an intersection with traffic-control signals;

Example of measurement of distance—intersection with traffic control signals



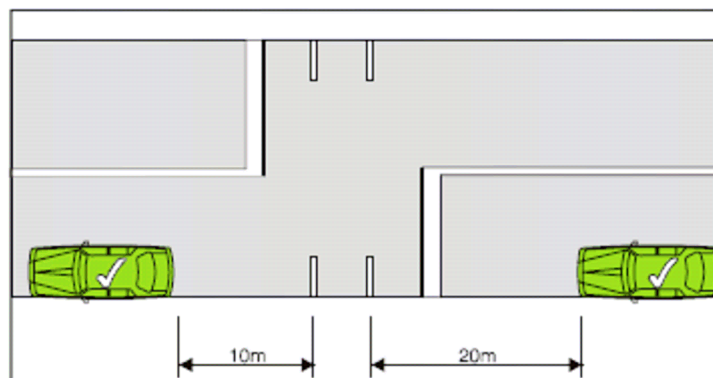
- (b) within 10 metres of the prolongation of the nearer edge of any intersecting carriageway (without traffic-control signals) intersecting that carriageway on the side on which the vehicle is stopped, unless the person stops, if the intersection is a T-intersection—along the continuous side of the continuing road at the intersection;

Example of measurement of distance—T-intersection without traffic lights



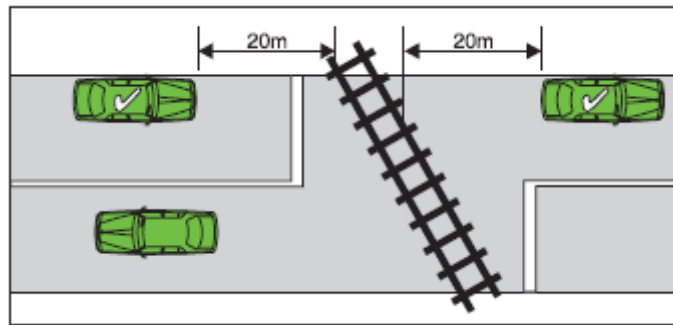
- (c) within 20 metres of the approach side of a pedestrian crossing or children's crossing, except where the pedestrian crossing is at an intersection; or
 (d) within 10 metres of the departure side of a pedestrian crossing or children's crossing, except where the pedestrian crossing is at an intersection;

Example of measurement of distance—Children's and Pedestrian crossing



- (e) within 10 metres of a marked foot crossing that is not at an intersection, before the traffic-control signal pole nearest to the driver at the marked foot crossing and 3 metres after the marked foot crossing;
 (f) within 20 metres of a level crossing, before the nearest rail or track to a driver approaching the crossing and 20 metres after the nearest rail or track to a driver leaving the crossing.

Example of measurement of distance—level crossing



2.2 Stopping on a Clearway

A driver shall not stop on a part of a carriageway to which a clearway sign applies, unless the driver is dropping off, or picking up passengers.

2.3 Stopping on keep clear markings

A driver shall not stop on an area of a carriageway marked with a keep clear marking.

PART 3—STOPPING IN ZONES FOR PARTICULAR VEHICLES

3.1 Stopping in a loading zone

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

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

in any event, shall not remain in that loading zone—

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

3.2 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.

(3) In subclause (1), the driver of a taxi shall not leave the taxi unattended.

3.3 Stopping in a mail zone

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

3.4 Other limitations in zones

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

PART 4—OTHER PLACES WHERE STOPPING IS RESTRICTED

4.1 Stopping in a bus lane, transit lane or bicycle lane

A driver shall not stop in—

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

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

4.2 Stopping in a shared zone

A driver shall not stop in a shared zone unless—

- (a) the driver stops at a place on a length of carriageway, or in an area, to which a sign applies and the driver is permitted to stop at that place under this local law;
- (b) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under this local law;
- (c) the driver is dropping off, or picking up, passengers or goods; or
- (d) the driver is engaged in door-to-door delivery or collection of goods, or in the collection of waste or garbage.

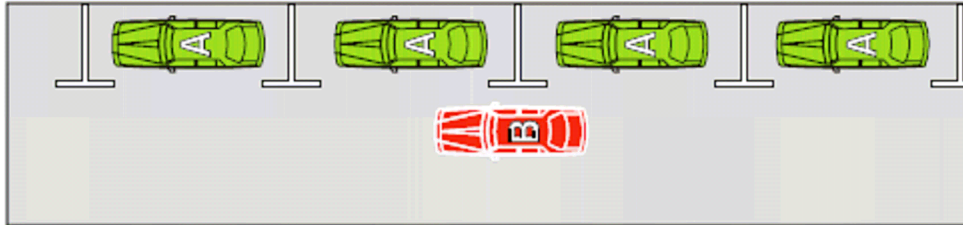
4.3 Double parking

(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 this local law.

Example of double parking



Vehicle “B” is stopped in contravention of clause 4.3(1).

4.4 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.

4.5 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 sign does not prohibit stopping; or
 - (b) the driver stops at a place on a length of carriageway, or in an area, to which a sign applies and the driver is permitted to stop at that place under this local law.
- (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 sign does not prohibit stopping; 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.

4.6 Stopping on crests, curves, etc.

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.

4.7 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.

4.8 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 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 driver stops at a place on a length of carriageway, or in an area, where the driver is permitted to stop at that place under this local law, whether by a sign or otherwise.
- (2) In this clause, distances are measured in the direction in which the driver is driving.

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

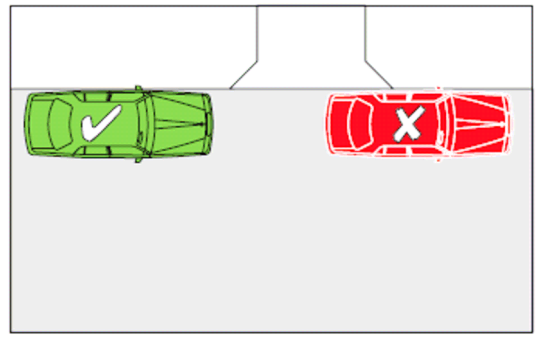
The driver of a vehicle (other than a bicycle or an animal) shall not stop so that any portion of the vehicle is on a path, dividing strip, median strip, painted island, or traffic island, unless the driver stops in a place where the driver is permitted to stop at that place under this local law, whether by a sign or otherwise.

4.10 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 bay and the driver is permitted to stop in the parking bay under this local law.
- (2) A driver shall not stop a vehicle on or across a driveway, right of way, private drive 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 bay and the driver is permitted to stop in the parking bay under this local law.

Example of blocking a driveway



The vehicle marked with an “x” is stopped in contravention of clause 4.10(2)

4.11 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 sign applies and the driver is permitted to stop at that place under this local law.

4.12 Stopping on a carriageway—heavy and long vehicles

(1) Unless engaged in the picking up or setting down of goods, a person shall not park, on a carriageway for any period exceeding one hour, 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.

(2) Nothing in this clause affects the operation of any other clause in this local law, or any other written law relating to the parking or stopping of vehicles.

4.13 No Parking

(1) A driver shall not stop 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.

4.14 Stopping on a 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) Subclause (1)(a) does not apply to the person if he or she is—

- (a) except in the case of a strata property, the owner or occupier of the premises immediately adjacent to that verge; or
- (b) except in the case of a strata property, authorised by the occupier of those premises to stop the vehicle so that any portion of it is on that verge; or
- (c) in the case of a strata property, authorised by the Strata Company of those premises to stop the vehicle so that any portion of it is on that verge.

(3) Subclause (1)(b) does not apply to a commercial vehicle if—

- (a) it is being loaded or unloaded with reasonable expedition with goods or merchandise collected from or delivered to the premises adjacent to the portion of the verge on which the commercial vehicle is parked; and
- (b) no obstruction is caused to the passage of any vehicle or person using a carriageway or a path.

PART 5—PARKING BAYS AND PARKING STATIONS

5.1 Determination of parking bays and parking stations

(1) The City may by resolution constitute, determine, revoke and vary—

- (a) parking bays;
- (b) parking stations;

- (c) permitted time and conditions of parking in parking bays and parking stations which may vary with the locality;
- (d) permitted classes of vehicles which may park in parking bays and parking stations;
- (e) permitted classes of persons who may park in specified parking bays or parking stations; and
- (f) the manner of parking in parking bays and parking stations.

(2) Where the City makes a determination under subclause (1) it shall erect signs to give effect to the determination.

5.2 Vehicles to be within parking bay on carriageway

(1) Subject to subclause (2), a person shall not park a vehicle in a parking bay on a carriageway otherwise than—

- (a) parallel to and as close to the kerb as is practicable;
- (b) wholly within the bay; and
- (c) 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) A person shall not park or stop a vehicle partly within and partly outside a parking area.

5.3 Payment of fee to park in parking station

A person shall not park a vehicle, or permit a vehicle to remain parked, in a parking station during any period for which a fee is payable unless—

- (a) in the case of a parking station having an authorised person on duty, the appropriate fee is paid when demanded; or
- (b) in the case of a parking station equipped with parking meters, the appropriate fee is inserted in the meter or the required payment is made in such other form as may be permitted.

5.4 Suspension of parking station restrictions

The City may declare that clause 5.3 is not to apply during the period, in relation to a particular parking station, specified in the resolution.

5.5 Vehicle not to be removed until fee paid

A person shall not remove a vehicle which has been parked in a parking station until the appropriate fee has been paid for the period for which the vehicle has been parked.

5.6 Entitlement to receipt

A person paying a fee at a parking station is entitled to receive a receipt on demand showing the period of parking covered by the payment.

5.7 Parking ticket to be clearly visible

A driver of a vehicle in a parking station which is equipped with a ticket issuing machine shall on purchasing a ticket from the machine for a period of parking, place the ticket inside the vehicle in a position where—

- (a) the ticket is clearly visible to; and
- (b) the expiry time or time for which the ticket remains valid is able to be read by,

an authorised person examining the ticket from outside the vehicle.

5.8 Locking of parking station

At the expiration of the hours of operation of a parking station, the City may lock a parking station or otherwise prevent the movement of vehicles within, to or from it.

5.9 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 City 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 bay in which another vehicle is parked but this paragraph does not prevent the parking of a motorcycle and a bicycle together in a bay marked "M/C", if the bicycle is parked in accordance with subclause (2).

(2) No person shall park any bicycle—

- (a) in a parking bay other than in a bay marked "M/C"; and
- (b) in such bay other than against the kerb.

(3) A driver may park a vehicle in a parking bay (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 ACROD sticker; and
- (b) a person with disabilities to which that ACROD sticker relates is either the driver of or a passenger in the vehicle.

PART 6—PARKING GENERALLY

6.1 Restrictions on parking in particular areas

(1) Subject to clause 6.2, 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 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 and with this local law;
- (c) in a bay marked "M/C" unless it is a motorcycle without a sidecar or a trailer, or it is a bicycle;
- (d) at any time in a right of way; or
- (e) unless clause 6.12 applies, for more than the maximum time specified by a sign.

(3) A person shall not, without the prior permission of the City, the CEO, or an authorised person, park a vehicle in an area designated by a sign stating "Authorised Vehicles Only".

(4) In a Loading Zone, a person shall not—

- (a) park a vehicle other than a commercial vehicle which is being loaded or unloaded with goods; or
- (b) park a commercial vehicle which is being loaded or unloaded with goods for more than 30 minutes.

(5) In paragraph (b) of subclause (4) "goods" means an article or collection of articles weighing at least 14 kilograms and of which the cubic measurement is not less than 0.2 cubic metres.

6.2 Time extension for people with disabilities

(1) This clause applies to a driver if—

- (a) the driver's vehicle displays an ACROD sticker; and
- (b) a person with a disability is either the driver or a passenger in the vehicle.

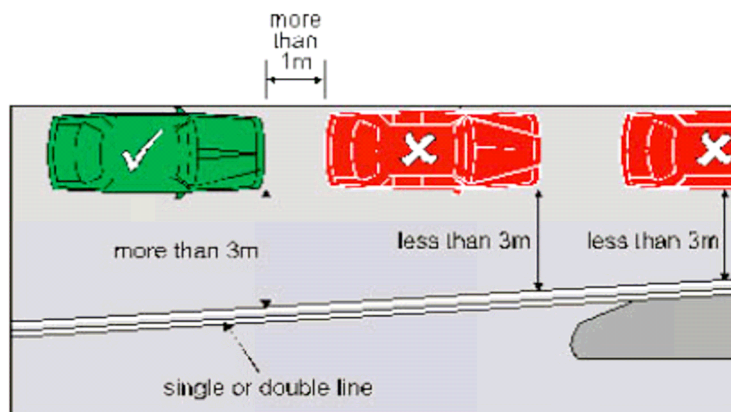
(2) A driver may park continuously on a length of carriageway, or in an area, to which a "permissive parking" sign applies (except in a parking area for people with disabilities) for twice the period indicated on the sign.

6.3 Parallel parking on a carriageway (except in a median strip parking area)

(1) Unless otherwise permitted by a sign, a driver parking a vehicle on a carriageway other than in a parking bay shall—

- (a) subject to subclause (4), in the case of a two-way carriageway, park the vehicle so that it is as near as practicable to and parallel with, the left boundary of the carriageway and facing in the direction of travel of vehicles in the marked lane or line of traffic on, or next to, the part of the carriageway where the driver parks;

Parallel parking—minimum distance from other vehicles and dividing strip



In the above example, the vehicles marked with an "x" are parked in contravention of this local law.

- (b) subject to subclause (4), in the case of a one-way carriageway, park the vehicle so that it is as near as practicable to and parallel with either boundary of the carriageway unless otherwise indicated by information on or with a sign;
 - (c) in the case of a carriageway that has a continuous dividing line, dividing strip or median strip, park the vehicle at least 3 metres from the continuous line, dividing strip or median strip;
 - (d) in the case of a carriageway with no continuous dividing line or median strip, park the vehicle so that there is at least 3 metres of the carriageway alongside the vehicle that is clear for other vehicles to pass;
- (2) A driver of a vehicle shall park the vehicle so that it is not less than 1.2 metres from any other vehicle, except a motorcycle without a trailer, or a bicycle, parked in accordance with this local law;
- (3) A driver of a vehicle shall park the vehicle so that it does not obstruct any vehicle on the carriageway; and
- (4) Subclauses (1)(a) and (1)(b) shall not apply to the rider of a motor cycle if the rider parks the motor cycle so at least one wheel is as near as practicable to the far left or far right of the carriageway.

6.4 Parallel parking in a median strip parking area

- (1) Unless otherwise permitted by a sign, a driver parking a vehicle in a median strip parking area shall park the vehicle—
- (a) to face in the direction of travel of vehicles in the marked land or line of traffic to the left of the driver;
 - (b) parallel, and as near as practicable, to the centre of the median strip; and
 - (c) if the driver does not park in a parking bay—at least one metre from the closest point of any vehicle in front of it and any vehicle behind it.

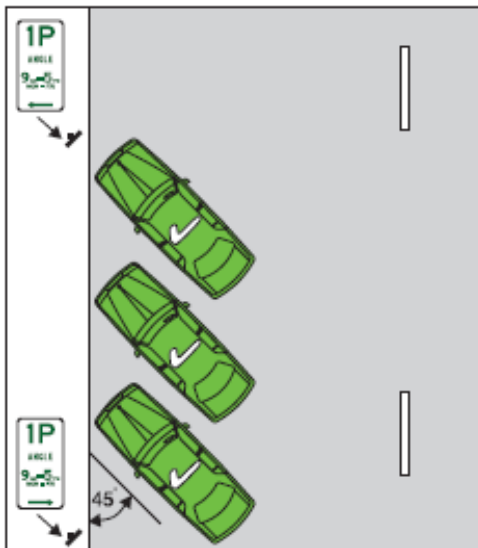
6.5 Angle parking

- (1) This clause does not apply to—
- (a) a passenger vehicle of over 3 tonnes; or
 - (b) a commercial vehicle with a mass including any load, of over 3 tonnes; or
 - (c) a person parking either a motor cycle without a trailer or a bicycle.
- (2) Where a sign relating to a parking area is inscribed with the words “angle parking” (or with an equivalent symbol depicting this purpose), a driver parking a vehicle in the area shall park the vehicle—
- (a) at an angle of 45 degrees, or as near as practicable to 45 degrees, to the centre of the carriageway; and
 - (b) if the vehicle is parked on the side of a carriageway—with the rear of the vehicle nearest to traffic in the marked lane or line of traffic next to the part of the carriageway where the driver parks;

unless otherwise indicated by the sign or by marks on the carriageway.

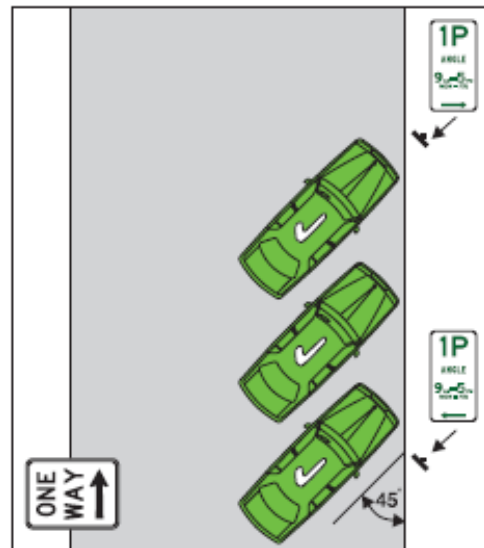
Example 1

Parking at 45°
at the side of a two-way
carriageway



Example 2

Parking at 45°
at the right side of a
one-way carriageway



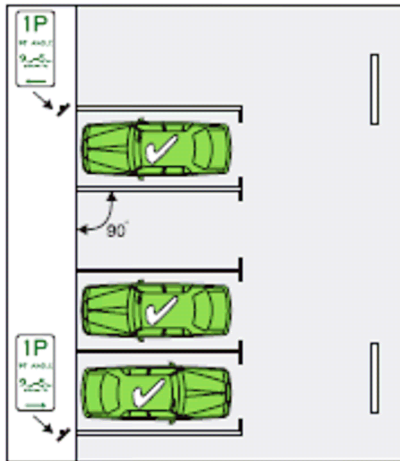
(3) Where a sign relating to a parking area indicates that the driver's vehicle must be parked at an angle of 90 degrees, (or with an equivalent symbol depicting this purpose), the driver—

- (a) shall park the vehicle so the vehicle is at an angle as near as practicable to 90 degrees; and
- (b) if the vehicle is parked on the side of a carriageway—may park the vehicle with either the front or rear of the vehicle nearest to traffic in the marked lane or line of traffic next to the part of the carriageway where the driver parks.

unless otherwise indicated by the sign or by marks on the carriageway.

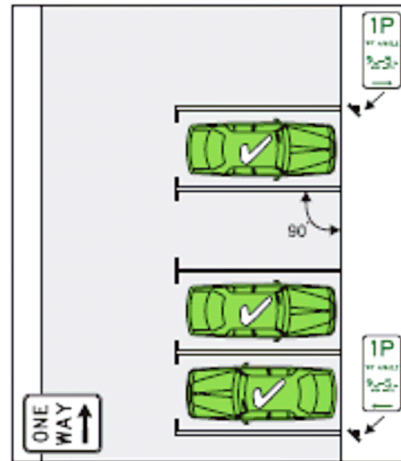
Example 1

Parking at 90°
at the side of a two-way
carriageway



Example 2

Parking at 90°
at the right side of a
one-way carriageway

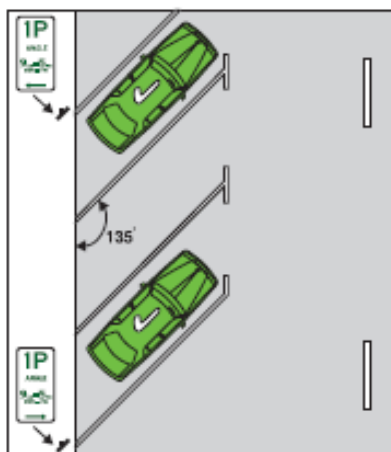


(4) Where a sign relating to a parking area indicates that the driver's vehicle must be parked at an angle of 135 degrees, (or with an equivalent symbol depicting this purpose), the driver shall park—

- (a) so the vehicle is at an angle as near as practicable to 135 degrees; and
- (b) if the vehicle is parked on the side of a carriageway—with the front of the vehicle nearest to traffic in the marked lane or line of traffic next to the part of the carriageway where the driver parks.

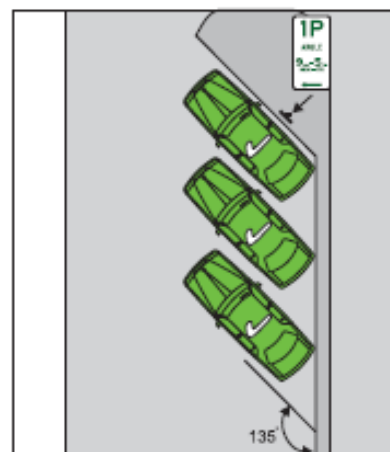
Example 1

Parking at 135°
at the side of a carriageway



Example 2

Parking at 135°
in a median strip parking area



6.6 Parking in parking bays

A driver of a vehicle shall park the vehicle so that it is entirely within the confines of any parking bay marked on the carriageway.

6.7 Vehicle to be wholly within parking area

A person shall not park a vehicle partly within and partly outside a parking area.

6.8 General prohibitions on parking

(1) This clause does not apply to a vehicle parked in a parking bay 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) alongside or opposite any excavation, works, hoarding, scaffolding or obstruction on the carriageway, if the vehicle would obstruct traffic;
- (c) between the boundaries of a carriageway and any double longitudinal line consisting of two continuous lines or ;
- (d) 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; or
- (e) on an intersection, except adjacent to a carriageway boundary that is not broken by an intersecting carriageway.

6.9 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.

6.10 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.

6.11 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 that parking facility for at least one (1) hour.

(2) Where the parking of vehicles in a thoroughfare is permitted for a limited time, a person shall not move a vehicle along that thoroughfare so that the total time of parking exceeds the maximum time permitted, unless the vehicle has first been removed from the thoroughfare for at least one hour.

6.12 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.

6.13 Parking on private land

(1) In this clause a reference to “land” does not include land—

- (a) which belongs to the City;
- (b) of which the City 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 1.4 (2).

(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.

6.14 Parking on reserves

No person other than an employee of the City in the course of his or her duties or a person authorised by the City 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.

6.15 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 City, 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 City, 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.

PART 7—RESIDENTIAL PARKING PERMITS

7.1 Exemption for permit holders

(1) Subject to subclauses (2) and (3), where the stopping or parking of a vehicle on any part of a carriageway is prohibited, by a sign, for longer than a specified time, the holder of a Residential Parking Permit or a Visitors Parking Permit is exempted from such prohibition.

(2) The exemption conferred by subclause (1) shall apply only –

- (a) to that part of a carriageway specified in the permit;
- (b) where the permit displayed is a residential parking permit, to the vehicle specified in the residential parking permit;
- (c) if the permit is displayed in the vehicle or affixed to the windscreen of the vehicle so as to be clearly visible and able to be read by an authorised person from outside the vehicle;
- (d) if the permit is valid.

(3) The exemption conferred by subclause (1) shall not, unless specifically noted on the permit, apply during any period in which the stopping or parking of vehicles is prohibited in the carriageway or the part of the carriageway specified in the permit.

7.2 Fees

(1) On lodging an application for a permit, the applicant is to pay a fee to the City.

(2) On renewal of a permit, the permit holder is to pay a fee to the City.

(3) On replacement of a permit, the permit holder is to pay a fee to the City.

(4) The fees referred to in (1), (2) and (3) are to be imposed and determined by the City, from time to time, under and in accordance with sections 6.16 to 6.19 of the *Local Government Act 1995*.

7.3 Issue of permits

(1) The City may, upon a written application of an eligible person, issue a residential parking permit in the form determined by the City.

(2) The City may, upon a written application of an eligible person, issue for the occasional use of visitors, a visitor's parking permit in the form determined by the City.

(3) The City's power to issue, replace and revoke permits under this Part may be exercised by an authorised officer.

(4) Notwithstanding any other provisions in this local law, the City may approve the issue of a number of residential or visitor's parking permits to any owner or occupier on such terms and conditions as the local government sees fit.

7.4 Maximum duration of residential parking permit or visitor parking permit

A residential parking permit or visitor parking permit is current from the date of issue and will be issued for a maximum period not exceeding one year.

7.5 Validity of a permit

Every residential parking permit or visitor's parking permit, as the case may be, shall cease to be valid upon—

- (a) the expiry of the date specified on the permit;
- (b) the holder of the permit ceasing to be an eligible person;
- (c) the revocation of the permit by the local government pursuant to clause 7.6;
- (d) the replacement of any permit by a new permit issued by the City pursuant to clause 7.3.

7.6 Revoking a permit

(1) Where the City is satisfied that a Residential Parking Permit or a Visitor Parking Permit is not being used in accordance with Part 7 of this local law, the City may give the person to whom the permit was issued notice—

- (a) indicating the permit may be revoked;
- (b) explaining the reasons why the permit may be revoked; and
- (c) requiring the person to notify the City within 14 days, to show cause why the permit should not be revoked.

(2) After the expiry of 14 days from the date of service of the notice referred to in subclause (1) on the person to whom the permit has been issued, whether or not a response has been received, the City may revoke the permit.

(3) Where the City revokes a permit, it shall notify the person to whom the permit was issued that it has been revoked.

7.7 Removal of a permit from vehicle

The holder of a residential parking permit or a visitor's parking permit must, immediately upon the permit being revoked or ceasing to be valid, permanently remove the permit from the vehicle in which it is displayed, or to which it is affixed, and return it to the City.

7.8 Replacement of permit

(1) The City may, upon a written application of an eligible person and upon payment of the fee referred to in clause 7.2, issue a permit to replace a residential parking permit or visitor's parking permit which is lost, destroyed or stolen.

(2) Notwithstanding clause 7.2, no fee shall be payable for the issue of a replacement permit if evidence is produced in writing to the satisfaction of the City—

- (a) that the vehicle in which the permit is displayed has been disposed of;
- (b) that the vehicle's windscreen in which the permit is displayed has been replaced; or
- (c) which the City considers warrants the waiving of the fee.

7.9 Permit to be displayed

A person shall not stop or park a vehicle in an area set aside for persons, or vehicles of a particular class, during any permitted period unless a valid permit is displayed inside the vehicle and is clearly visible to, and able to be read by, an authorised person from outside the vehicle at all times while the vehicle remains stopped or parked in the zone.

PART 8—MISCELLANEOUS

8.1 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.

8.2 Unauthorized signs and defacing of signs

A person shall not without the authority of the City—

- (a) mark, set up or exhibit a sign purporting to be or resembling a sign marked, set up or exhibited by the City under this local law;
- (b) remove, deface or misuse a sign or property, set up or exhibited by the City 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 City under this local law.

8.3 Signs shall 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.

8.4 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 3 letters of any day of the week when used on a sign indicate that day of the week.

8.5 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.

8.6 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 City or unless authorized under any written law.

(2) A person will not contravene subclause (1) where the vehicle is left for a period not exceeding 24 hours.

PART 9—PENALTIES

9.1 Legal proceedings

Evidentiary provisions relating to offences involving vehicles are contained in Division 2 of Part 9 of the Act.

9.2 Offences and penalties

(1) A person who breaches a provision of this local law 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 \$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.

9.3 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

LOCAL GOVERNMENT ACT 1995

City of Canning Parking Local Law 2010

PARKING REGION

The parking region is the whole of the district except—

- (a) the approach and departure prohibition areas of all existing and future traffic control signal installations as determined by the Commissioner of Main Roads;
- (b) prohibition areas applicable to all existing and future bridges and subways as determined by the Commissioner of Main Roads; and
- (c) any thoroughfare which comes under the control of the Commissioner of Main Roads unless the control of parking and parking facilities on that thoroughfare has been delegated by the Commissioner of Main Roads to the City.

Schedule 2

LOCAL GOVERNMENT ACT 1995

City of Canning Parking Local Law 2010

PRESCRIBED OFFENCES

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
1	2.1(1)	Stopping contrary to a “no stopping sign”	80
2	2.1(2)	Stopping within continuous yellow lines	80
3	3.1	Stopping unlawfully in a loading zone	60
4	3.2	Stopping unlawfully in a taxi zone or bus zone	60
5	3.3	Stopping unlawfully in a mail zone	60
6	3.4	Stopping in a zone contrary to a sign	60
7	4.1	Stopping in a bus lane, transit lane or a bicycle lane	60
8	4.2	Stopping in a shared zone	60
9	4.3 and 6.9 (2)(a)	Double parking	80
10	4.4	Stopping near an obstruction	60
11	4.5 (1) or (2)	Stopping on a bridge or in a tunnel	60
12	4.6	Stopping on crests/curves etc	60
13	4.7	Stopping near fire hydrant	80
14	4.8	Stopping at or near bus stop	60
15	4.9	Stopping on path, dividing strip, median strip, painted island or traffic island	80
16	4.10(1)	Obstructing access to and from path	80
17	4.10(2)	Denying access to private drive or right of way	80

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
18	4.11	Stopping near letterbox	60
19	4.12	Stopping heavy or long vehicles on carriageway	60
20	4.14	Parking contrary to "no parking sign"	80
21	4.15	Stopping on verge	60
22	5.2(1)	Failure to park wholly within parking bay	60
23	5.2(3)	Failure to park wholly within parking area	60
24	5.3	Failure to pay parking station fee	60
25	5.5	Leaving without paying parking station fee	60
26	5.7	Failure to display ticket clearly in parking station	60
27	5.9(1)(a)	Causing obstruction in parking station	80
28	5.9(1)(b)	Parking contrary to sign in parking station	60
29	5.9(1)(c)	Parking contrary to directions of authorised person	60
30	5.9(1)(d)	Parking or attempt to park a vehicle in a parking bay occupied by another vehicle	60
31	6.1(1)(a)	Parking wrong class of vehicle	60
32	6.1 (1)(b)	Parking by persons of a different class	60
33	6.1(1)(c)	Parking during prohibited period	60
34	6.1(2)(a)	Parking in no parking area	80
35	6.1(2)(b)	Parking contrary to signs or limitations	60
36	6.1(2)(c)	Parking vehicle in motor cycle only area	60
37	6.1(2)(d)	Parking vehicle in a right of way	60
38	6.1(2)(e)	Parking vehicle in excess of maximum time	60
39	6.1(3)	Parking without permission in an area designated for 'Authorised Vehicles Only'	60
40	6.3(3)	Failure to display event parking permit	60
41	6.4(1)	Failure to park on the left of two-way carriageway	80
42	6.4(1)(b)	Failure to park on boundary of one-way carriageway	60
43	6.4(1)(a) or (b)	Parking against the flow of traffic	80
44	6.4(1)(c)	Parking when distance from farther boundary less than 3 metres	60
45	6.3(3)	Causing obstruction	80
46	6.5	Failure to park parallel in a median strip parking area	60
47	6.6	Failure to park at an appropriate angle	60
48	6.9(2)(b)	Parking beside excavation or obstruction so as to obstruct traffic	80
49	6.9(2)(c)	Parking contrary to continuous line markings	60
50	6.10	Parking contrary to direction of authorised person	60
51	6.11(2)	Removing mark of authorised person	80
52	6.12	Moving vehicle to avoid time limitation	60
53	6.13(a)	Parking in thoroughfare for purpose of sale	60
54	6.13(b)	Parking unlicensed vehicle in thoroughfare	60
55	6.13(c)	Parking trailer/caravan on a thoroughfare	60
56	6.13(d)	Parking in thoroughfare for purpose of repairs	80
57	6.14(2)	Parking on land that is not a parking facility without consent	80
58	6.14(3)	Parking on land not in accordance with consent	60
59	6.15	Driving or parking on a reserve	60
60	7.9	Failure to display parking permit	80
61	8.6	Leaving vehicle so as to obstruct a public place	80
62		All other offences not specified	60

Schedule 3

LOCAL GOVERNMENT ACT 1995

City of Canning Parking Local Law 2010

Form 1

NOTICE REQUIRING OWNER OF VEHICLE TO IDENTIFY DRIVER

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—

City of Canning Parking Local Law 2010

Local Government (Parking for Disabled Persons) Regulations 1988.

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 City 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 authorized person

⁽⁶⁾ Name and title of authorized person giving notice

Schedule 3

LOCAL GOVERNMENT ACT 1995

City of Canning Parking Local Law 2010

Form 2

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—

- City of Canning Parking Local Law 2010
- Local Government (Parking for Disabled Persons) Regulations 1988.*

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 authorized person at City of Canning Council Offices, 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.

- (5)
- (6)

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) Signature of authorized person
- (6) Name and title of authorized person giving notice

—————
Schedule 3

LOCAL GOVERNMENT ACT 1995
City of Canning Parking Local Law 2010
 Form 3
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 clauseof the—

- City of Canning Parking Local Law 2010
- Local Government (Parking for Disabled Persons) Regulations 1988.*

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 authorized person at (5)..... within a period of 28 days after the giving of this notice.

Unless within 28 days after being served with this notice—

- (a) you pay the modified penalty; or
- (b) you—
 - (i) inform the Chief Executive Officer or another authorized officer of the City as to the identity and address of the person who was the driver or person in charge of the above vehicle at the time the offence is alleged to have been committed; or
 - (ii) satisfy the Chief Executive Officer that the above vehicle had been stolen or was being unlawfully used at the time the offence is alleged to have been committed, you will, in the absence of proof to the contrary, be deemed to have committed the above offence and court proceedings may be instituted against you.

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 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) Place where modified penalty may be paid
- (6) Signature of authorized person
- (7) Name and title of authorized person giving notice

Schedule 3

LOCAL GOVERNMENT ACT 1995
City of Canning Parking Local Law 2010
 Form 4

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.

..... (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 authorized person
- (4) Name and title of authorized person giving notice

Dated: 30 November 2010.

The Common Seal of the City of Canning was affixed by authority of a resolution of the Council in the presence of—

G. P. DELLE DONNE, Mayor.
 M. A. DACOMBE, Chief Executive Officer.

LG301*

LOCAL GOVERNMENT ACT 1995

City of Cockburn

(LOCAL GOVERNMENT ACT) AMENDMENT LOCAL LAW 2010

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Cockburn resolved on 9 September 2010 to adopt the following local law.

1. Citation

This local law may be cited as the *City of Cockburn (Local Government Act) Amendment Local Law 2010*.

2. Commencement

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

3. Principal local laws

The *City of Cockburn (Local Government Act) Local Laws 2000* published in the *Government Gazette* on 9 October 2000, as amended and published in the *Government Gazette* on 13 November 2001, 15 November 2002, 26 September 2003, 25 November 2003, 27 July 2004 and 17 May 2005, are referred to as the principal local laws. The principal local laws are amended.

4. Corrections

Throughout the principal local laws, wherever the word “section” or “Section” in singular or plural form occurs, delete and insert “clause” or “Clause” as the case may be, except where the correct reference is made to a section or sections of an Act.

5. Various references to “Council” amended

Amend the provisions listed in the Table as set out in the Table.

Table

Part	Division	Clause	Delete	Insert
I		1.5(a)	Council (2 occurrences)	“local government” (2 occurrences)
I		1.6(2)	Council (2 occurrences)	“local government” in the first occurrence and “the local government” in the second occurrence
II	1	2.1	Council	“the local government” in the definition for “large animal”
II	2	2.2	Council	“The local government”
II	3	2.4	Council	“the local government”
		2.6(3)(d)	Council	“the local government”
		2.7	Council	“local government”
		2.9(1)(a)	Council	“the local government”
		2.9(1)(c)	Council	“the local government”
		2.9(1)(d)	Council	“local government”
		2.9(1)(e)	Council	“local government”
		2.9(2)	Council	“the local government” in the first occurrence and “local government” in the second occurrence
		2.9(3)	Council	“the local government”
II	4	2.11(a)	Council	“the local government”
		2.12	Council	“the local government”
		2.12(b)	Council	“local government”
		2.13(1)	Council	“The local government”
		2.13(2)	Council	“The local government”
		2.14	Council	“the local government”
		2.15(b)	Council	“local government”
		2.16	Council	“the local government”
		2.17(f)	Council	“local government”
II	5	2.22	Council	“the local government”
II	6	2.27(1)	Council	“the local government”
		2.28(2)	Council	“the local government”
		2.28(4)	Council	“the local government”
		2.32(1)	Council	“the local government”
		2.32(3)	Council	“the local government”
		2.34(1)	Council	“the local government”
		2.35	Council	“the local government”
		2.27(2)	Council	“The local government”

Part	Division	Clause	Delete	Insert
		2.28(2)	Council	"The local government"
		2.38(4)	Council	"local government"
		2.43(1)(a)	Council	"the local government"
		2.43(2)	Council	"the local government"
II	7	2.46(a)	Council	"the local government"
		2.54	Council	"local government"
II	8	2.56(1)	Council	"the local government"
		2.56(3)	Council	"The local government"
		2.58(2)	Council	"the local government"
IIA	8	2A.2(1)	Council	"the local government"
		2A.2(2)	Council	"the local government"
		2A.3(1)	Council	"the local government"
		2A.2(2)	Council	"the local government"
		2A.2(3)	Council	"the local government"
		2A.2(4)	Council	"the local government"
III	2	3.2(1)	Council	"local government"
		3.2(2)	Council	"local government"
		3.2(3)	Council	"local government"
		3.3(i)	Council	"local government"
		3.3(s)	Council	"local government"
		3.3(t)	Council	"the local government"
		3.3(ac)	Council	"the local government"
		3.3(ad)	Council	"local government" in the first occurrence and "the local government" in the second occurrence and "the local government's" in the third occurrence
		3.4	Council	"the local government"
		3.5(1)	Council	"local government"
		3.5(2)	Council	"local government"
		3.9(3)	Council	"local government"
		3.10	Council	"the local government"
		3.11	Council	"The local government"
		3.12	Council	"the local government"
IV	1	4.1	Council	"the local government" in the definition for "sufficient fence"
IV	2	4.2(3)	Council	"local government"
		4.8(3)	Council	"local government"
		4.9(2)	Council	"local government"
		4.10(1)	Council	"local government"
		4.10(3)	Council	"local government"
		4.10(4)	Council	"local government"
		4.12(3)	Council	"local government"
		4.15	Council	"local government"
IV	3	4.16(1)(a)	Council	"local government"
		4.16(1)(b)	Council	"the local government"
		4.17(1)(a)	Council	"the local government"
		4.17(1)(c)(iii)	Council	"local government"
		4.17(2),	Council	"local government"
		4.17(2)(b)	Council	"local government"
		4.17(3)	Council	"local government"
		4.17(3)(a)	Council	"the local government"
		4.17(3)(c)(ii)	Council	"the local government"
		4.17(3)(c)(iii)	Council	"local government"
		4.17(3)(iv)	Council	"the local government"
		4.17(3)(v)	Council	"the local government"
		4.17(3)(vi)	Council	"the local government"
		4.18(2)	Council	"local government"
		4.18(2)(b)	Council	"local government"
		4.18(3)	Council	"local government"
		4.18(3)(a)	Council	"the local government"
		4.19	Council	"The local government"
		4.19(d)	Council	"local government"
		4.19(e)	Council	"local government"
		4.19(f)	Council	"local government"
V	2	5.3(a)	Council	"the local government"
		5.3(b)	Council	"local government"
		5.3(c)	Council	"the local government's"

Part	Division	Clause	Delete	Insert
V	3	5.7	Council	"local government"
V	4	5.9(a)	Council	"the local government's"
		5.11	Council	"The local government"
		5.12	Council	"local government"
		5.13	Council	"The local government" in the heading and "local government" in the first occurrence
		5.14	Council	"The Local government" in the heading and "local government" in the first occurrence "the local government" in the second occurrence
		5.15	Council	"The Local government" in the heading and "the local government" in the first occurrence
		5.16	Council	"The Local Government" in the heading
		5.16(1)	Council	"local government"
		5.16(3)	Council	"local government"
		5.17	Council	"The Local government" in the heading and "the local government" in the first occurrence
V	5	5.18(1)	Council	"local government"
		5.18(3)	Council	"local government"
VI	2	6.2	Council	"the local government"
		6.3,	Council	"the local government"
		6.5	Council	"the local government"
		6.7	Council	"the local government"
		6.9(1)	Council	"local government"
		6.9(2)	Council	"local government"
		6.10(1)	Council	"local government"
		6.11	Council	"local government" in the first occurrence and "the local government" in the second occurrence
		6.12	Council	"local government" in the first occurrence and "the local government" in the second occurrence and local government in the third occurrence
		6.15	Council	"local government"
		6.16(1)	Council	"local government"
VI	3	6.18(1)(a)	Council	"the local government"
VII	1	7.1	Council	"local government" in the definitions for "collection time" and "mixed waste"
		7.2	Council	"the local government"
VII	2	7.3	Council	"the local government"
		7.4	Council	"the local government"
		7.5(1)	Council	"local government"
		7.5(2)	Council	"local government" in the first occurrence and "the local government" in the second occurrence
		7.6(a)	Council	"local government"
		7.6(b)	Council	"local government" in the first occurrence and "the local government" in the second occurrence
		7.6(e)	Council	"local government"
VII	3	7.8(2)	Council	"local government"
		7.8(2)(b)	Council	"the local government"
		7.8(2)(f)	Council	"local government"
		7.9(1)	Council	"the local government's"
		7.12	Council	"The local government"
		7.13	Council	"the local government" in the first occurrence and "local government" in the second occurrence
		7.16(a)	Council	"the local government"
		7.16(b)	Council	"local government"
		7.16(g)	Council	"the local government"
		7.16(h)	Council	"local government"
		7.19	Council	"the local government" in the first and second occurrence and "local government" in the third occurrence
		7.20	Council	"the local government"
VII	5	7.21(d)	Council	"the local government"
		7.24	Council	"local government"
		7.24(b)	Council	"local government"
VIII	1	8.1	Council	"local government" in the definition for "directional sign"
		8.4	Council	"The local government" in the first and "local government" in the second

Part	Division	Clause	Delete	Insert
				occurrence
		8.5(h)	Council	"local government"
VIII	2	8.7	Council	"the local government"
		8.8(1)	Council	"the local government"
		8.8(2)	Council	"the local government"
		8.9	Council	"local government"
		8.9(a)	Council	"the local government"
		8.11(1)	Council	"the local government"
		8.11(2)	Council	"local government"
		8.11(4)	Council	"the local government"
		8.11(6)	Council	"the local government"
		8.11(7)	Council	"local government"
		8.12	Council	"the local government" in the first and "local government" in the second occurrence
		8.13(1)	Council	"local government"
		8.13(3)	Council	"local government"
VIII	3	8.14(1)(c)	Council	"local government"
		8.14(1)(f)	Council	"the local government"
		8.14(2)(a)	Council	"local government"
		8.14(2)(b)	Council	"local government"
		8.15(d)	Council	"local government"
		8.21	Council	"the local government"
		8.22	Council	"local government"
VIII	4	8.24(g)	Council	"the local government"
		8.27(1)(b)	Council	"local government"
		8.27(1)(b)	Council	"local government"
		8.28(4)(a)	Council	"local government"
		8.28(4)(d)	Council	"local government"
		8.30	Council	"local government"
		8.31	Council	"local government"
		8.32(2)	Council	"local government"
		8.32(3)	Council	"the local government"
		8.32(4)	Council	"local government"
		8.33(1)(a)	Council	"the local government"
		8.33(1)(f)	Council	"local government"
		8.33(2)	Council	"local government"
		8.33(3)	Council	"local government"
		8.33(3)(b)	Council	"local government"
		8.34(3)	Council	"local government"
		8.38	Council	"the local government"
		8.39(3)(a)	Council	"local government"
		8.39(6)(a)	Council	"local government"
		8.40(1)(h)	Council	"local government"
		8.43(1)	Council	"local government"
		8.43(2)	Council	"local government"
		8.43(3)	Council	"local government"
		8.43(4)	Council	"local government"
IX	1	9.1	Council	"local government" in the definition for "lawn"
		9.2	Council	"local government"
IX	2	9.3(k)	Council	"local government"
		9.3(l)(i)	Council	"the local government's"
		9.3(1)(ii)	Council	"the local government's"
		9.4	Council	"the local government"
		9.5	Council	"the local government"
		9.6(1)	Council	"local government"
		9.6(2)	Council	"local government"
		9.7(c)	Council	"local government"
		9.8(e)	Council	"local government" in the first occurrence and "the local government" in the second occurrence
		9.8(g)	Council	"local government"
		9.8(h)	Council	"local government"
		9.8(i)	Council	"local government"
		9.8(j)	Council	"the local government" in the first occurrence and "local government" in the second occurrence
IX	3	9.10	Council	"local government"
IX	4	9.11(2)	Council	"the local government"

Part	Division	Clause	Delete	Insert
		9.11(7)(a)	Council	"the local government's"
		9.11(7)(b)	Council	"the local government's"
IX	5	9.12(2)	Council	"local government"
		9.13(2)	Council	"local government"
		9.14(2)	Council	"the local government or"
		9.15(1)	Council	"local government or an authorised person"
		9.15(1)(c)	Council	"local government"
		9.15(2)	Council	"local government or an authorised person"
		9.15(3)	Council	"local government or an authorised person"
XI	2	11.2(1)	Council	"local government"
		11.2(2)	Council	"the local government"
		11.2(3)	Council	"the local government"
		11.4	Council	"The local government"
		11.6	Council	"local government"
XII	2	12.11	Council	"local government"
		12.12(1)	Council	"local government"
		12.12(2)	Council	"local government"
		12.12(3)	Council	"local government"
		12.13	Council	"The Local government" in the heading and "local government" in the first occurrence
		12.15	Council	"local government"
		12.16	Council	"The local government"
		12.16(1)	Council	"local government"
		12.16(2)	Council	"local government"
		12.16(2)(b)	Council	"local government"
		12.16(5)	Council	"local government"
		12.18(1)	Council	"local government"
		12.18(2)	Council / City	"local government"
		12.18(2)	Council	"local government"
		XII	3	12.26
12.27	Council			"local government"
12.28(3)	Council			"local government"
XII	5	12.29	Council	"local government"
		12.30	Council	"local government"
		12.31(1)	Council	"local government"
		12.32	Council	"Local Government"
		12.32(1)	Council	"the local government's" in the first occurrence and "local government" in the second occurrence
		12.32(2)	Council	"the local government's"
		12.32(3)	Council	"local government"

6. Part 1 amended

6.1 In clause 1.5(a) delete "traffic and vehicles;"

6.2 In clause 1.6(1), delete the definitions "approved fee", "authorised person", "building", "Council", "hiring fee", "member of the Police Service", "pound" and "reserve" and insert the following definitions in alphabetical order-

"approved fee" means the fees and charges determined by the local government from time to time, for putting into effect the provisions of these local laws;

"authorised person" means a person appointed by the local government under section 9.10 (1) of the Act to perform any of the functions of an authorised person under this local law;

"building" includes any hall, room corridor, or stairway, or an annexe of any hall or room, in all cases under the care, control or management of the local government;

"hiring fee or hire fee" means the fee charged for any hiring determined by the local government from time to time;

"local government" means the City of Cockburn;

"member of the Police Service" means a member of the Western Australia Police;

"pound" means a building or yard established by the local government or authorised person for the purpose of impounding dogs, animals or vehicles for the purpose of these local laws;

"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” as described in section 3.53 of the Act.

7. Part II—Division 8 amended

7.1 In clause 2.57, delete the reference to “2.34” and insert “2.56”.

7.2 In clause 2.59, delete the reference to “2.36” and insert “2.58”.

8. Part III—Division 2 amended

In clause 3.3, re-designate the paragraphs numbered “(k)” through to “(ak)” to numbers “(j)” through to “(aj)” respectively.

9. Part VII—heading amended

In the heading “PART VII—MANAGEMENT AND CONTROL OF COUNCIL PROPERTY” delete “COUNCIL” and insert “LOCAL GOVERNMENT”.

10. Part VIII—Division 2 amended

In clause 8.5, re-designate the paragraphs numbers “(k)” and “(l)” to number “(i)” and “(j)” respectively.

11. Part IX—Division 5 amended

11.1 In clause 9.13 delete subclause (1) and insert—

- (1) The owner or occupier of land in the district must, in the opinion of the local government or an authorised person, clearly display and maintain the current street number assigned by the local government or an authorised person on the front of the building, fence, letterbox or gate adjacent to the street which the property has its address. It is preferable that the street number be displayed on a letterbox, which is located on the property boundary adjacent to the road from which the property is addressed.

11.2 In clause 9.14(1), delete “misleading” and insert “misleading in the opinion of the local government or an authorised person”.

12. Schedule 1 amended

In the fifth reserve land in the list, delete “[known as De Marchi Park]” and insert “[known as Bassett Reserve]”.

13. Schedule 2 amended

13.1 Delete “Council” in the Nature of Offence description for clause 2.27(1) and insert “the local government”.

13.2 In the Modified Penalties table in Schedule 2—

- (a) delete the entire Part X—Traffic and Vehicles; and
- (b) in Part IX—Streets and Public Places delete the clause numbers “9.12(1)” and “9.14(1)” and their description under the Nature of Offence column, and insert—

9.13(1)	Failure to clearly display and maintain the current street number assigned by the local government or an authorised person on the front of the building, fence, letterbox or gate adjacent to the street which the property has its address.....	100.00
9.14 (1)	Place street number so as to cause confusion or be misleading in the opinion of the local government or an authorised person.....	100.00

Dated: 6 December 2010.

The Common Seal of the City of Cockburn was affixed by authority of a resolution of the Council in the presence of—

L. HOWLETT, Mayor.
S. CAIN, Chief Executive Officer.

LG301*

LOCAL GOVERNMENT ACT 1995

City of Fremantle

CITY OF FREMANTLE PARKING AMENDMENT LOCAL LAW 2010

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Fremantle resolved on 27 October 2010 to adopt the following local law.

1. Citation

This local law may be cited as the *City of Fremantle Parking Amendment Local Law 2010*.

2. Commencement

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

3. Principal Local Law

In this local law, the *City of Fremantle Parking Local Law 2006* as published in the *Government Gazette* on 22 November 2006 is referred to as the principal local law. The principal local law is amended as follows—

4. Schedule 2 amended.

Delete Schedule 2 and substitute the following—

“ **Schedule 2—Modified Penalties**

Clause	Nature of Offence	Modified Penalty \$
10(1)(b)	Stop/Park at expired meter	50.00
12	Stop/Park adjacent hooded meter	55.00
14	Exceed time limit (meter)	50.00
15(1)	Fail display valid ticket (ticket zone)	50.00
16(1)	Exceed time limit (ticket zone)	50.00
21(1)(a)	Fee not paid on demand (parkg stn)	50.00
21(1)(d)(i)	Not display valid monthly ticket (p stn)	50.00
21(1)(d)(ii)	Not wholly in parking stall (parkg stn)	50.00
23(1)	Fail display valid ticket (parkg stn)	50.00
25(1)	Remove vehicle without fee paid (pk stn)	80.00
26	Cause obstruction (parking station)	80.00
27	Stop/Park footpath/refuge (parking stn)	80.00
28(1)(a)	Stop in No Stopping area (parking stn)	80.00
28(2)(a)	Park in No Parking area (parking stn)	55.00
28(2)(c)	Park vehicle different class (parkg stn)	55.00
28(3)	Exceed time limit (parking station)	50.00
28(4)	Stop/Park again within 2 hrs (pkg stn)	50.00
30(1)	Remain after directed to leave (pkg stn)	80.00
30(3)	Drive contrary to sign (parkg stn)	80.00
30(4)	Exceed speed limit (parking station)	120.00
30(5)	Ride/Drive unlawful conveyance (pkg stn)	55.00
32	Expose goods/services for sale (pkg stn)	55.00
37(1)(a)	Stop/Park vehicle different class (road)	55.00
37(1)(b)	Stop/Park in No Stopping area (road)	80.00
37(1)(c)	Park in No Parking area (road)	55.00
37(1)(d)	Stop/Park prohibited period (Clearway)	80.00
37(2)	Exceed time limit (road)	50.00
38	Stop/Park in occupied stall (road)	50.00
39(a)	Vehicle not solo motorcycle in M/C stall	50.00
39(c)	Not wholly in parking stall (M/C)	50.00
40(a)	Exceed time limit (M/C stall)	50.00
41	Stop/Park on median strip/traffic island	55.00
42(1)(a)	Not close and parallel to kerb (road)	55.00

Clause	Nature of Offence	Modified Penalty \$
42(1)(b)	Not headed in direction of traffic	55.00
42(1)(c)	Not wholly in parking stall (parallel-rd)	55.00
42(2)	Not wholly in parking stall (angle-road)	55.00
43(a)	Cause obstruction (ROW/private drive)	80.00
43(b)	Cause obstruction (intersection)	80.00
43(c)	Stop/Park within 3m of unbroken line	80.00
43(d)	Stop/Park at continuous yellow line	80.00
44(1)	Stop/Park within 1m of fire hydrant/plug	55.00
44(2)	Stop/Park within 3m of public pillar box	55.00
45(a)	Stop/Park within 10m of intersection	55.00
45(c)	Stop/Park footpath/refuge (road)	80.00
46	Double parking	80.00
47(1)(a)	Stop/Park in No Stopping area (verge)	80.00
47(1)(b)	Park in No Parking area (verge)	55.00
47(1)(c)	No Stopping prohibited period (verge)	80.00
47(1)(d)	No Parking prohibited period (verge)	55.00
47(2)	Exceed time limit (verge)	50.00
48(1)(a)	Within 10m departure side bus stop	55.00
48(1)(b)	Within 10m departure side ped/child Xing	55.00
48(2)(a)	Within 20m approach side bus stop	55.00
48(2)(b)	Within 20m approach ped/child Xing	55.00
48(2)(c)	Within 20m approach/depart rail Xing	55.00
48(3)	Stop in bus zone	55.00
49	Stop/Park again within 2 hrs (road)	50.00
50(1)(a)	No activity in loading zone (road)	55.00
50(1)(b)	Exceed time limit (loading zone—road)	55.00
51(a)	Park vehicle to repair/maintain (road)	55.00
51(b)	Park vehicle for sale (road)	55.00
52	Stop/Park bicycle in parking stall	55.00
53	“Authorised Vehicles Only” no permission	55.00
54(1)	ACROD bay without current ACROD sticker	120.00
55(1)	Fail display current permit Permit Zone	55.00
56	Private property without consent	55.00
57(a)	Goods vehicle exceed 4 hrs (verge)	50.00
57(b)	Service/clean goods vehicle (verge)	50.00
58	Defeat chalk mark/wheel position	80.00
67(1)	Non-legal tender meter/tkt mach/pay stn	80.00
67(2)	Use non-permitted payment device	80.00
71(1)(a)	Display altered/defaced/illegible ticket	80.00
71(1)(b)	Display altered/defaced/illegible permit	80.00
74(a)	Obstruct/hinder authorised person	170.00
74(b)	Obstruct/hinder Local Governmnt employee	170.00
80	Interfere with sign	120.00
82(1)	Disobey direction (auth person/Police)	220.00
82(2)	Return within 2 hrs direction to leave	170.00
83	Supply false/misleading information	220.00
87/86(1)(a)	Cause obstruction (24 hrs no consent)	55.00
87/86(1)(b)	Cause obstruction (prohibited period)	55.00
87/86(2)	Cause obstruction (unlawfully parked)	80.00
87	Cause obstruction (public place)	80.00
88(a)	Oversize vehicle carriageway over 1 hr	80.00

Clause	Nature of Offence	Modified Penalty \$
88(b)	Oversize vehicle on carriageway	80.00
88(c)	Oversize vehicle in parking stn/reserve	80.00
93(1)	Stop/Park vehicle on Reserve	80.00
93(2)(a)	Conduct business from vehicle (reserve)	80.00
93(2)(b)	Stop/Park on footpath (reserve)	80.00
	All other offences not classified in which the use of a vehicle is an element	55.00

”

Dated 9 December 2010.

The Common Seal of the City of Fremantle was affixed by the authority of a resolution of the Council of the City of Fremantle in the presence of—

**B. PETTITT, Mayor.
G. MACKENZIE, Chief Executive Officer.**



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LOCAL GOVERNMENT ACT 1995

SHIRE OF DANDARAGAN

**PARKING AND PARKING
FACILITIES LOCAL LAW 2010**

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LOCAL GOVERNMENT ACT 1995

SHIRE OF DANDARAGAN

PARKING AND PARKING FACILITIES LOCAL LAW 2010

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Dandaragan resolved on 29 July 2010 to make the following local law.

PART 1—DEFINITIONS AND OPERATION

1.1 Commencement

This local law will come into operation on the fourteenth day after the day on which it is published in the *Government Gazette*.

1.2 Interpretation

In this local law unless the context otherwise requires—

- ‘**ACROD sticker**’ has the meaning given to it by the Code;
- ‘**Act**’ means the *Local Government Act 1995*;
- ‘**Authorized Person**’ means a person authorized by the local government under section 9.10 of the Act, to perform any of the functions of an Authorized Person under this local law;
- ‘**authorized vehicle**’ means a vehicle authorized by the local government, CEO, Authorized Person or by any written law to park on a thoroughfare or parking facility;
- ‘**bicycle**’ has the meaning given to it by the Code;
- ‘**bicycle path**’ has the meaning given to it by the Code;
- ‘**bus**’ has the meaning given to it by the Code;
- ‘**bus embayment**’ has the meaning given to it by the Code;
- ‘**bus stop**’ has the meaning given to it by the Code;
- ‘**bus zone**’ has the meaning given to it by the Code;
- ‘**caravan**’ means a vehicle that is fitted or designed to allow human habitation and which is drawn by another vehicle, or which is capable of self-propulsion;
- ‘**carriageway**’ means a portion of thoroughfare 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 thoroughfare has two or more of those portions divided by a median strip, the expression means each of those portions, separately;
- ‘**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;
- ‘**CEO**’ means the Chief Executive Officer of the local government;
- ‘**Code**’ means the *Road Traffic Code 2000*;
- ‘**commercial vehicle**’ means 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 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;
- ‘**Council**’ means the Council of the local government;
- ‘**district**’ means the district of the local government;
- ‘**driver**’ means any person driving or in control of a vehicle;

- 'edge line'** for a carriageway means a line marked along the carriageway at or near the far left or the far right of the carriageway;
- 'emergency vehicle'** has the meaning given to it by the Code;
- 'footpath'** has the meaning given to it by the Code;
- 'GVM'** (which stands for 'gross vehicle mass') has the meaning given to it by the Code;
- 'Loading Zone'** means a parking stall which is set aside for use by commercial vehicles if there is a sign referable to that stall marked 'Loading Zone';
- 'local government'** means the Shire of Dandaragan;
- 'long vehicle'** means a vehicle or combination 7.5 metres or more in length, inclusive of any projection and of its load;
- 'mail zone'** has the meaning given to it by the Code;
- 'median strip'** has the meaning given to it by the Code;
- 'motorcycle'** has the meaning given to it by the Code;
- 'motor vehicle'** means a self-propelled vehicle that is not operated on rails; and the expression includes a trailer, semi-trailer or caravan while attached to a motor vehicle, but does not include a power assisted pedal cycle;
- 'no parking area'** has the meaning given to it by 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 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;
- 'occupier'** has the meaning given to it by the Act;
- 'omnibus'** means a passenger vehicle equipped to carry more than 8 adult passengers for separate fares;
- 'owner'**
- 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 Road Traffic Act;
 - where used in relation to any other vehicle, means the person who owns, or is entitled to possession of that vehicle; and
 - where used in relation to land, has the meaning given to it by the Act;
- 'park'**, in relation to a vehicle, means to permit a vehicle, whether attended or not by any person, to remain stationary except for the purpose of—
- avoiding conflict with other traffic; or
 - complying with the provisions of any law; or
 - taking up or setting down persons or goods (*maximum of 2 minutes*);
- 'parking area'** has the meaning given to it by the Code;
- 'parking facilities'** includes land, buildings, shelters, parking stalls and other facilities open to the public generally for the parking of vehicles and signs, notices and facilities used in connection with the parking of vehicles;
- 'parking region'** means the area described in Schedule 1;
- 'parking stall'** means a section or part of a thoroughfare or of a 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 station'** means any land, or structure provided for the purpose of accommodating vehicles;
- 'pedestrian crossing'** has the meaning given to it by the Code;
- 'public place'** means any place to which the public has access whether or not that place is on private property;
- 'reserve'** means any land—
- which belongs to the local government;
 - of which the local government is the management body under the *Land Administration Act 1997*; or
 - 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;
- 'service vehicle'** means a vehicle specifically designed, constructed and used primarily for the conveyance of goods but does not include service type vehicles being used for private purposes;
- 'shared zone'** has the meaning given to it by 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;

'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 1742.11-1999 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;

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

'tour coach' means any vehicle licenced as a tour coach which is hired or chartered for the specific purpose of sightseeing or tourism;

'traffic island' 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;

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

'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.

1.3 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.

1.4 Delegation of Authority

Council may by resolution passed by an absolute majority, delegate to the 'CEO' as defined in this local law, the performance of any function of the Council in relation to this local law. In this local law a reference to the Council having powers to do something in its discretion or a reference to the Council forming an opinion prior to the doing of anything shall be deemed to include a reference to any employee of the local government to whom the 'CEO' has delegated the exercise of any of the 'CEO's powers or the discharge of any of the 'CEO's duties in relation to this local law.

1.5 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) 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 subclause (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, 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 subclause (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), (3) and (4) 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;
- (e) long vehicles;
- (f) service vehicles;
- (g) tour coaches;
- (h) omnibus; and
- (i) 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.

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) and (3) 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) 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) 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 Authorized 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 Authorized 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 subclause (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 subclause (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 ACROD sticker; and
- (b) a person with disabilities to which that ACROD sticker relates is either the driver of or a passenger in the vehicle.

PART 3—PARKING GENERALLY**3.1 Restrictions on parking in particular areas**

- (1) Subject to subclause (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 subclause applies to a driver if—
- (i) the driver's vehicle displays an ACROD sticker; and
 - (ii) a disabled person to which the ACROD sticker 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 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 a motorcycle without a sidecar or a trailer, or a bicycle in a parking stall unless the stall is marked 'M/C'.
- (5) A person shall not, without the prior permission of the local government, the CEO, or an Authorized Person, park a vehicle in an area designated by a sign stating 'Authorized 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 3 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) (a) This clause does not apply to a vehicle parked in a parking stall nor to a bicycle in a bicycle rack.
- (b) Subclauses (2)(c), (e) and (g) do not apply to a vehicle which parks in a bus embayment.
- (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 Authorized 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 Authorized Person has directed the driver to move it.

3.7 Authorized person may mark tyres

- (1) An Authorized 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 Authorized Person so that the purpose of the affixing of such a mark is defeated or likely to be defeated.

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.
- (2) Where the parking of vehicles in a thoroughfare is permitted for a limited time, a person shall not move a vehicle along that thoroughfare so that the total time of parking exceeds the maximum time permitted, unless the vehicle has first been removed from the thoroughfare for at least 2 hours.

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;
- (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—
- which belongs to the local government;
 - of which the local government is the management body under the *Land Administration Act 1997*;
 - which is an 'otherwise unvested facility' within section 3.53 of the Act;
 - which is the subject of an agreement referred to in clause 1.5(2); or
 - 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.

3.11 Parking on reserves

No person other than an employee of the local government in the course of his or her duties or a person authorized 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 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 Authorized 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 Authorized 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.

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—
- dropping off, or picking up, passengers or goods;
 - does not leave the vehicle unattended; and
 - 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.

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 motor vehicle used for commercial or trade purposes engaged in the picking up or setting down of goods; or
 - a motor vehicle taking up or setting down passengers, but, in any event, shall not remain in that loading zone—
 - for longer than a time indicated on the 'loading zone' sign; or
 - 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.

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—

- (a) 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 this local law;
- (b) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under this local law;
- (c) the driver is dropping off, or picking up, passengers or goods; or
- (d) 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 this local law.

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 this local law.

(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 subclause (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 this local law.

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 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, 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 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 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 this local law.

(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 this local law.

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) Subclause (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) Subclause (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 this local law.

(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 this local law.

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 this local law.

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 1 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 a bicycle parking sign

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

6.14 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.

6.15 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*.

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 Authorized Person.

7.2 Unauthorized 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 3 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 authorized under any written law.
- (2) A person will not contravene subclause (1) where the vehicle is left for a period not exceeding 24 hours.

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 \$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.

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*Local Government Act 1995*

Shire of Dandaragan Parking and Parking Facilities Local Law 2010

PARKING REGION

The parking region is comprised of the gazetted townsites of Jurien Bay and Cervantes, but excludes the following portions of the region—

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*Local Government Act 1995*

Shire of Dandaragan Parking and Parking Facilities Local Law 2010

PRESCRIBED OFFENCES

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
1	2.2	Failure to park wholly within parking stall	40
2	2.2(3)	Failure to park wholly within parking area	40
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 Authorized Person	50
6	2.3(1)(d)	Parking or attempting to park a vehicle in a parking stall occupied by another vehicle	40
7	3.1(1)(a)	Parking wrong class of vehicle	40
8	3.1(1)(b)	Parking by persons of a different class	45
9	3.1(1)(c)	Parking during prohibited period	45
10	3.1(3)(a)	Parking in no parking area	50
11	3.1(3)(b)	Parking contrary to signs or limitations	40
12	3.1(3)(c)	Parking vehicle in motor cycle only area	40
13	3.1(4)	Parking motor cycle in stall not marked 'M/C'	40
14	3.1(5)	Parking without permission in an area designated for 'Authorised Vehicles Only'	45
15	3.2(1)(a)	Failure to park on the left of two-way carriageway	40
16	3.2(1)(b)	Failure to park on boundary of one-way carriageway	40
17	3.2(1)(a) or 3.2(1)(b)	Parking against the flow of traffic	45
18	3.2(1)(c)	Parking when distance from farther boundary less than 3 metres	45
19	3.2(1)(d)	Parking closer than 1 metre from another vehicle	40
20	3.2(1)(e)	Causing obstruction	50
21	3.3(b)	Failure to park at approximate right angle	40
22	3.4(2)	Failure to park at an appropriate angle	40
23	3.5(2)(a) and 6.2	Double parking	45
24	3.5(2)(b)	Parking on or adjacent to a median strip	40
25	3.5(2)(c)	Denying access to private drive or right of way	45
26	3.5(2)(d)	Parking beside excavation or obstruction so as to obstruct traffic	50

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
27	3.5(2)(e)	Parking within 10 metres of traffic island	45
28	3.5(2)(f)	Parking on footpath/pedestrian crossing	50
29	3.5(2)(g)	Parking contrary to continuous line markings	45
30	3.5(2)(h)	Parking on intersection	45
31	3.5(2)(i)	Parking within 1 metre of fire hydrant or fire plug	50
32	3.5(2)(j)	Parking within 3 metres of public letter box	45
33	3.5(2)(k)	Parking within 10 metres of intersection	45
34	3.5(3)(a) or (b)	Parking vehicle within 10 metres of departure side of bus stop, children's crossing or pedestrian crossing	50
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 Authorized Person	50
38	3.7(2)	Removing mark of Authorized Person	55
39	3.8	Moving vehicle to avoid time limitation	40
40	3.9(a)	Parking in thoroughfare for purpose of sale	40
41	3.9(b)	Parking unlicensed vehicle in thoroughfare	40
42	3.9(c)	Parking a trailer/caravan on a thoroughfare	40
43	3.9(d)	Parking in thoroughfare for purpose of repairs	40
44	3.10(1) or (2)	Parking on land that is not a parking facility without consent	55
45	3.10(3)	Parking on land not in accordance with consent	40
46	3.11	Driving or parking on reserve	40
47	4.1(1)	Stopping contrary to a 'no stopping' sign	40
48	4.1(2)	Parking contrary to a 'no parking' sign	40
49	4.1(3)	Stopping within continuous yellow lines	40
50	5.1	Stopping unlawfully in a loading zone	40
51	5.2	Stopping unlawfully in a taxi zone or bus zone	40
52	5.3	Stopping unlawfully in a mail zone	40
53	5.4	Stopping in a zone contrary to a sign	40
54	6.1	Stopping in a shared zone	40
55	6.3	Stopping near an obstruction	45
56	6.4	Stopping on a bridge or tunnel	40
57	6.5	Stopping on crests/curves etc	55
58	6.6	Stopping near fire hydrant	55
59	6.7	Stopping near bus stop	45
60	6.8	Stopping on path, median strip or traffic island	40
61	6.9	Stopping on verge	40
62	6.10	Obstructing path, a driveway etc	40
63	6.11	Stopping near letter box	40
64	6.12	Stopping heavy or long vehicles on carriageway	45
65	6.13	Stopping in bicycle parking area	40
66	6.14	Stopping in motorcycle parking area	40
67	6.15	Stopping in disabled parking area	45
68	7.6	Leaving vehicle so as to obstruct a public place	50
69		All other offences not specified	35

Schedule 3

Local Government Act 1995

Shire of Dandaragan Parking and Parking Facilities Local Law 2010

FORMS

Form 1

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 2010**.

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 authorized person
- ⁽⁶⁾ Name and title of authorized person giving notice

Schedule 3

Local Government Act 1995

Shire of Dandaragan Parking and Parking Facilities Local Law 2010

FORMS

Form 2

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 2010**.

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 authorized 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.

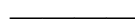
If the above address is not your current address, or if you change your address, it is important that you advise us immediately. Failure to do so may result in your driver’s licence or any vehicle licence you hold being suspended without your knowledge.

⁽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 authorized person
- (7) Name and title of authorized person giving notice



Schedule 3

Local Government Act 1995

Shire of Dandaragan Parking and Parking Facilities Local Law 2010

FORMS

Form 3

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 2010**.

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 authorized person at ⁽⁵⁾ within a period of 28 days after the giving of this notice.

Unless within 28 days after being served with this notice—

- (a) you pay the modified penalty; or
- (b) you—
 - (i) 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 above vehicle at the time the offence is alleged to have been committed; or

- (ii) satisfy the Chief Executive Officer that the above vehicle had been stolen or was being unlawfully used at the time the offence is alleged to have been committed, you will, in the absence of proof to the contrary, be deemed to have committed the above offence and court proceedings may be instituted against you.

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 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) Place where modified penalty may be paid
- (6) Signature of authorized person
- (7) Name and title of authorized person giving notice



Schedule 3

Local Government Act 1995

Shire of Dandaragan Parking and Parking Facilities Local Law 2010

FORMS

Form 4

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 authorized person
- (4) Name and title of authorized person giving notice

Schedule 4*Local Government Act 1995*

Shire of Dandaragan Parking and Parking Facilities Local Law 2010

DEEMED PARKING STATIONS

Dated: 16th November 2010.

The Common Seal of the Shire of Dandaragan was affixed by an authority of a resolution of the Council in the presence of—

RONALD S. LOVE, President.
ANTHONY G. NOTTLE, Chief Executive Officer.
