

**LOCAL GOVERNMENT ACT 1995**

***City of Vincent***

**PARKING AND PARKING FACILITIES AMENDMENT LOCAL LAW 2011**

Under the powers conferred by the *Local Government Act 1995* and by all other powers enabling it, the Council of the City of Vincent resolved on 5 July 2011 to make the following local law.

**1. Citation**

This local law may be cited as the *City of Vincent Parking and Parking Facilities Amendment Local Law 2011*.

**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 *Town of Vincent Parking and Parking Facilities Local Law 2007* published in the *Government Gazette* on 21 November 2007, amended and published in the *Government Gazette* on 5 August 2008 and 27 February 2009, is referred to as the principal local law. The principal local law is amended.

**4. Table of Contents amended**

**4.1** Re-designate clause numbers from “6.1” through to “6.5” to “6.2” through to “6.6” respectively.

**4.2** Before clause 6.2, insert new clause heading—

**6.1** Establishment of metered zones, metered stalls and ticket zones

**4.3** Delete the Part 7 heading and insert—

**PART 7—PARKING PERMITS**

Delete clause 7.9 and insert—

**7.9** Display of parking permit

Delete Schedules 6 to 9 headings and insert—

**Schedule 6—Parking Permits**

**Schedule 7—Notice of Intent to Revoke Permit**

**5. Clause 1.5 amended**

In clause 1.5, delete subclause (4) and insert—

(4) Where a parking facility or a parking station is determined to be under the care, control and management of the City, then the facility or station shall be deemed to be a facility or 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).

**6. Clause 4.9 amended**

In clause 4.9(1), delete paragraph (e) and insert—

(e) which is determined by a local government resolution to be a parking station under the care, control and management of the City.

**7. Clause 6 amended**

**7.1** Re-designate clause numbers from “6.1” through to “6.5” to “6.2” through to “6.6” respectively.

**7.2** Before clause 6.2, insert new clause—

**6.1** Establishment of metered zones, metered stalls and ticket zones

(1) The local government may, by resolution—

(a) establish;

(b) indicate by signs; and

(c) vary from time to time;

metered zones, metered spaces and ticket zones.

(2) In relation to metered zones, metered spaces and ticket zones, the local government may prescribe—

(a) conditions and permitted times of parking;

(b) the manner of parking; and

(c) the classes of vehicles permitted to park;

but this authority shall not be exercised in a manner which is inconsistent with the provisions of this local law or any other written law.

**8. Part 7 amended**

Delete the Part 7 heading and insert—

**PART 7—PARKING PERMITS**

**9. Clause 7.1 amended**

**9.1** In clause 7.1, delete the “*eligible person*” definition and insert—

“*eligible person*” where used in relation to an application for a—

- (a) “*residential parking permit*” means an owner or occupier of a single house, grouped dwelling or multiple dwelling;
- (b) “*visitor’s parking permit*” means—
  - (i) a single house owner or occupier;
  - (ii) a strata company;
  - (iii) a unit owner or occupier of a residential unit which is not a strata lot;
  - (iv) a grouped dwelling owner or occupier; or
  - (v) a multiple dwelling owner or occupier;
- (c) “*commercial parking permit*” means the proprietor of a commercial business;

**9.2** Insert the following definitions in alphabetical order—

“*commercial parking permit*” means a permit issued to a business by the local government pursuant to clause 7.3(3);

“*grouped dwelling*” means a dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partially vertically above another, except where special conditions of landscape or topography dictate otherwise, and includes a dwelling on a survey strata with common property;

“*multiple dwelling*” means a dwelling in a group of more than one dwelling on a lot where 50 percent or greater of floor area of a dwelling is vertically above part of any other but—

- (a) does not include a grouped dwelling; and
- (b) includes any dwellings above the ground floor in a mixed use development;

**10. Clause 7.3 amended**

In clause 7.3, delete subclauses (1) to (4) and insert—

- (1) The local government may upon a written application of an eligible person issue a residential parking permit in the form of Item 1 of Schedule 6.
- (2) The local government may upon a written application of an eligible person issue for the occasional use of visitors, a visitor’s parking permit in the form of Item 2 of Schedule 6.
- (3) The local government may upon a written application of an eligible person issue a commercial parking permit in the form of Item 3 of Schedule 6.
- (4) The local government’s power to issue, replace and revoke permits under this Part may be exercised by an authorised officer.
- (5) Notwithstanding any other provision in this local law, the local government may approve the issue of a number of residential, visitor’s or commercial parking permits (as applicable) to any eligible person on such terms and conditions as the local government sees fit.

**11. Clause 7.5 amended**

Delete clause 7.5 and its heading and insert—

**7.5 Validity of permit**

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

- (a) the expiry of a period of either 1 or 3 years (depending upon the permit issued) from and including the date on which it is issued;
- (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 local government pursuant to clause 7.3.

**12. Clause 7.7 amended**

**Delete clause 7.7 and its heading and insert—**

**7.7 Removal of permit from vehicle**

The holder of a residential, visitor's or commercial parking permit shall, upon that permit being revoked or ceasing to be valid, remove the permit from the vehicle in which it is displayed or to which it is affixed.

**13. Clause 7.8 amended**

**In clause 7.8, delete subclause (1) and insert—**

- (1) The local government may upon a written application of an eligible person and upon payment of the fee referred to in subclause (2), if any, issue a permit to replace a residential, visitor's or commercial parking permit which is lost, misplaced, destroyed or stolen.

**14. Clause 7.9 amended**

**Delete clause 7.9 heading and insert—**

**7.9 Display of parking permit**

**15. Schedule 2 amended**

**Delete Schedule 2 and insert—**

**SCHEDULE 2**

**Local Government Act 1995**

**City of Vincent Parking and Parking Facilities Local Law 2007**

**PRESCRIBED OFFENCES**

<b>Item No.</b>	<b>Clause No.</b>	<b>Nature of Offence</b>	<b>Modified Penalty \$</b>
<b>1</b>	<b>2.2(1), (2)</b>	<b>Failure to comply with signs</b>	<b>50</b>
<b>2</b>	<b>2.3(a)</b>	<b>Unauthorised display, marking, setting up, exhibiting of a sign</b>	<b>125</b>
<b>3</b>	<b>2.3(b)</b>	<b>Unauthorised removal, defacing or misuse of a sign</b>	<b>70</b>
<b>4</b>	<b>2.3(c)</b>	<b>Unauthorised affixing anything to a sign</b>	<b>60</b>
<b>5</b>	<b>3.2(1)(a)</b>	<b>Failure to park parallel to and as close to the kerb as practicable in a parking stall</b>	<b>60</b>
<b>6</b>	<b>3.2(1)(b)</b>	<b>Failure to park wholly within parking stall</b>	<b>60</b>
<b>7</b>	<b>3.2(1)(c)</b>	<b>Failure to park in the direction of the movement of traffic in a parking stall</b>	<b>60</b>
<b>8</b>	<b>3.2(4)</b>	<b>Failure to park wholly within parking area</b>	<b>50</b>
<b>9</b>	<b>3.3(1)(a)</b>	<b>Causing obstruction in parking station</b>	<b>125</b>
<b>10</b>	<b>3.3(1)(b)</b>	<b>Parking contrary to sign in parking station</b>	<b>50</b>
<b>11</b>	<b>3.3(1)(c)</b>	<b>Parking contrary to directions of authorised person</b>	<b>150</b>
<b>12</b>	<b>3.3(1)(d)</b>	<b>Parking or attempting to park a vehicle in a parking stall occupied by another vehicle</b>	<b>50</b>
<b>13</b>	<b>4.1(1)(a)</b>	<b>Parking by vehicles of a different class</b>	<b>85</b>
<b>14</b>	<b>4.1(1)(b)</b>	<b>Parking by persons of a different class</b>	<b>85</b>
<b>15</b>	<b>4.1(1)(c)</b>	<b>Parking during prohibited period</b>	<b>85</b>
<b>16</b>	<b>4.1(3)(a)</b>	<b>Parking in no parking area</b>	<b>85</b>
<b>17</b>	<b>4.1(3)(b)</b>	<b>Parking contrary to signs or limitations</b>	<b>50</b>
<b>18</b>	<b>4.1(3)(c)</b>	<b>Parking vehicle in motor cycle only area</b>	<b>50</b>
<b>19</b>	<b>4.1(4)</b>	<b>Parking motor cycle in stall not marked 'M/C'</b>	<b>50</b>
<b>20</b>	<b>4.1(5)</b>	<b>Parking without permission in an area designated for 'Authorised Vehicles Only'</b>	<b>85</b>
<b>21</b>	<b>4.2(1)(a)</b>	<b>Failure to park on the left of two-way carriageway</b>	<b>60</b>
<b>22</b>	<b>4.2(1)(b)</b>	<b>Failure to park on boundary of one-way carriageway</b>	<b>60</b>
<b>23</b>	<b>4.2(1)(a) or 4.2(1)(b)</b>	<b>Parking against the flow of traffic</b>	<b>60</b>

<b>Item No.</b>	<b>Clause No.</b>	<b>Nature of Offence</b>	<b>Modified Penalty \$</b>
24	4.2(1)(c)	Parking when distance from farther boundary less than 3 metres	100
25	4.2(1)(d)	Parking closer than 1 metre from another vehicle	50
26	4.2(1)(e)	Causing obstruction	125
27	4.3(b)	Failure to park at approximate right angle	50
28	4.4(2)	Failure to park at an appropriate angle	50
29	4.5(2)(a)	Double parking	125
30	4.5(2)(b)	Parking on or adjacent to a median strip	60
31	4.5(2)(c)	Denying access to private drive or right of way	125
32	4.5(2)(d)	Parking beside excavation or obstruction so as to obstruct traffic	125
33	4.5(2)(e)	Parking within 10 metres of traffic island	60
34	4.5(2)(f)	Parking on footpath/pedestrian crossing	150
35	4.5(2)(g)	Parking closer than 3 metres to double longitudinal lines	125
36	4.5(2)(h)	Parking on intersection	150
37	4.5(2)(i)	Parking within 1 metre of fire hydrant or fire plug	50
38	4.5(2)(j)	Parking within 3 metres of public letter box	50
39	4.5(2)(k)	Parking within 10 metres of intersection	60
40	4.5(3)(a) or (b)	Parking vehicle within 10 metres of departure side of bus stop, children's crossing or pedestrian crossing	50
41	4.5(4)(a) or (b)	Parking vehicle within 20 metres of approach side of bus stop, children's crossing or pedestrian crossing	50
42	4.5(5)	Parking vehicle within 20 metres of approach side or departure side of railway level crossing	50
43	4.6	Parking contrary to direction of authorised person	150
44	4.7(1), (2) or (3)	Moving vehicle to avoid time limitation	85
45	4.8(a)	Parking in thoroughfare for purpose of sale	125
46	4.8(b)	Parking unlicensed vehicle in thoroughfare	100
47	4.8(c)	Parking a trailer/caravan on a thoroughfare	100
48	4.8(d)	Parking in thoroughfare for purpose of repairs	125
49	4.9(2)	Parking on land that is not a parking facility without consent	125
50	4.9(3)	Parking on land not in accordance with consent	125
51	4.10	Driving or parking on a reserve	125
52	4.11	Parking on a verge	60
53	4.13(1)	Failure to display an unexpired parking ticket (Parking Station)	60
54	4.13(2)(a)	Deface, alter, add to, erase, obliterate or otherwise interfere with a parking ticket	150
55	4.13(2)(b)	Display a defaced, altered obliterated or otherwise interfered with parking ticket	150
56	4.13(2)(c)	Produce a defaced, altered obliterated or otherwise interfered with parking ticket	150

<b>Item No.</b>	<b>Clause No.</b>	<b>Nature of Offence</b>	<b>Modified Penalty \$</b>
57	5.1(1)(a)	Stopping contrary to a no stopping sign	125
58	5.1(1)(b)	Stopping during the times a sign specifies a “no stopping” restriction is in operation	125
59	5.1(2)	Parking contrary to a no parking sign	85
60	5.1(3)	Stopping within continuous yellow lines	125
61	5.2	Stopping unlawfully in a loading zone	85
62	5.3	Stopping unlawfully in a taxi zone or bus zone	100
63	5.4	Stopping unlawfully in a mail zone	70
64	5.5	Stopping in a zone contrary to a sign	50
65	5.6	Stopping in a shared zone	50
66	5.7(1)	Double parking	125
67	5.8	Stopping near an obstruction	125
68	5.9	Stopping on a bridge or tunnel	100
69	5.1	Stopping on crests/curves etc	100
70	5.11	Stopping near fire hydrant	70
71	5.12(1)	Stopping near bus stop	85
72	5.13	Stopping on path, median strip or traffic island	125
73	5.14(1)	Stopping on verge	60
74	5.15	Obstructing path, a driveway etc	125
75	5.16	Stopping near letter box	50
76	5.17	Stopping heavy or long vehicles on carriageway	85
77	5.18	Stopping in bicycle parking area	60
78	5.19	Stopping in motorcycle parking area	60
79	5.20	Stopping or parking in a stall set up as an eating area	85
80	5.21	Stopping or parking contrary to requirements of a permit	60
81	5.22	Stopping or parking a vehicle (other than a bicycle or motor cycle) in a parking stall approved for motor cycles	60
82	6.2(1)	Damaging or interfering with ticket issuing machine	150
83	6.2(2)	Affixing a board, sign, placard or notice or marking any ticket issuing machine	60
84	6.2(3)	Inserting other than a coin in a ticket issuing machine	50
85	6.2(4)	Operating a ticket issuing machine contrary to instructions	50
86	6.3(2)	Failure to pay appropriate fee	60
87	6.4(1)(a)	Failure to display an unexpired parking ticket	60
88	6.4(1)(b)	Failure to display a valid parking ticket	60
89	6.5(1)	Stopping or parking for longer than the maximum period	60
90	6.6(1)(a)	Failure to stop or park parallel to the kerb in a ticket machine zone	60
91	6.6(1)(b)	Failure to stop or park as close to the kerb as practicable in a ticket machine zone	60
92	6.6(1)(c)	Failure to stop or park wholly within a parking stall in a ticket machine zone	60
93	6.6(1)(d)	Failure to stop or park in direction of movement of traffic in a ticket machine zone	50
94	7.9	Failure to display a valid permit	85

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
95	8.3	Failure to comply with a lawful direction of an authorised person	150
96	8.4	Failure to leave local government property when lawfully directed to do so by an authorised person	150
97	8.5(2)	Removing or interfering with a lawful mark on a tyre	150
98	8.6	Removing a notice on a vehicle	125
99	8.8(1)	Leaving a vehicle in a public place or thoroughfare so as to cause an obstruction	125
100	8.9	Attempting to or removing, damaging, defacing, misusing or interfering with any part of a parking station or parking facility	150
101		All other offences not specified	85

**16. Schedule 8 amended**


**Delete Schedule 8 and insert—**


**SCHEDULE 6**

**Local Government Act 1995**

**City of Vincent Parking and Parking Facilities Local Law 2007**

**ITEM 1—RESIDENTIAL PARKING PERMIT**

	<p>Local Government Act 1995 City of Vincent Parking and Parking Facilities Local Law 2007 <b>RESIDENTIAL PARKING PERMIT</b></p>	
	<p><b>CITY OF VINCENT</b></p> <p>PERMIT No. ....</p> <p>Vehicle Make/Type: ..... Registration No:.....</p> <p>Exempted Road(s)/Metered Space: .....</p> <p>..... Expiry Date: .....</p> <p>For and on behalf of the City of Vincent</p>	

	<p>Local Government Act 1995 City of Vincent Parking and Parking Facilities Local Law 2007 <b>VISITOR'S PARKING PERMIT</b></p>	
	<p><b>CITY OF VINCENT</b></p> <p>PERMIT No. ....</p> <p>Exempted Road(s): .....</p> <p>Name of Person to Whom Exemption Issued: .....</p> <p>..... Expiry Date: .....</p> <p>For and on behalf of the City of Vincent</p>	



**Local Government Act 1995  
City of Vincent  
Parking and Parking Facilities Local Law 2007  
COMMERCIAL PARKING PERMIT**

**CITY OF VINCENT**

**PERMIT No.** .....

**Exempted Road(s):** .....

**Name of Business/Person to Whom  
Exemption Issued:** .....

..... **Expiry Date:** .....  
**For and on behalf of the City of Vincent**

**17. Schedule 9 amended**

**Delete Schedule 9 and insert—**

**SCHEDULE 7**

**Local Government Act 1995  
City of Vincent Parking and Parking Facilities Local Law 2007  
ITEM 3(a) NOTICE OF INTENT TO REVOKE A PERMIT**



**Local Government Act 1995  
City of Vincent  
Parking and Parking Facilities Local Law 2007  
NOTICE OF INTENT TO REVOKE A PERMIT**

**CITY OF VINCENT**

Take notice that within seven days from the ..... day of ..... the person to whom (Residential Parking Permit/Visitors Parking Permit/Commercial Parking Permit)\* No ..... was issued is required to give the local government notice in writing of any reason why that permit should not be revoked. If no written notice is received by the local government within that time, the local government may revoke that permit.

.....  
for and on behalf of the CITY OF VINCENT

.....  
Date of Service

\* Delete whichever is not applicable

**ITEM 3(b) NOTICE OF REVOCATION OF A PERMIT**



**Local Government Act 1995  
City of Vincent  
Parking and Parking Facilities Local Law 2007  
NOTICE OF REVOCATION OF A PERMIT**

**CITY OF VINCENT**

Take notice that from and including the ..... day of ..... (Residential Parking Permit/Visitor's Parking Permit/Commercial Parking Permit)\* No ..... is revoked and invalid.

.....  
for and on behalf of the CITY OF VINCENT

\* Delete whichever is not applicable

**Dated: 5 July 2011.**

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

**NICK CATANIA JP, Mayor.  
JOHN GIORGI JP, Chief Executive Officer.**

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