LOCAL GOVERNMENT ACT 1995

CITY OF KWINANA

PARKING AND PARKING
FACILITIES LOCAL LAW 2018
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LOCAL GOVERNMENT ACT 1995

CITY OF KWINANA

PARKING AND PARKING FACILITIES LOCAL LAW 2018

Under the powers conferred by the Local Government Act 1995 and under all other powers enabling it, the City of Kwinana resolved on 14 November 2018 to adopt the following local law.

PART 1—PRELIMINARY

1.1 Citation
This local law may be cited as the City of Kwinana Parking and Parking Facilities Local Law 2018.

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

1.3 Purpose and effect
(1) The purpose of this local law is to regulate the parking or standing of vehicles in all or specified thoroughfares and reserves under the care, control and management of the local government and to provide for the management and operation of parking facilities.

(2) The effect of this local law is that a person parking a vehicle within the parking region is to comply with the provisions of this local law.

1.4 Repeal

1.5 Application
(1) Subject to subclause (2), this local law applies to the parking region as described in Schedule 1.

(2) (a) The local government may enter into an agreement in writing with the owner or occupier of a parking facility or a parking station that is not owned or occupied by the local government for the application of this local law to the facility or station.

(b) The agreement referred to in subclause (2)(a) may be made on such terms and conditions as the parties may agree.

(3) 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.

(4) Where a parking facility or a parking station is identified in a register maintained by the local government, the facility or station shall be deemed to be a facility or station to which this local law applies.

(5) The provisions of Parts 3, 4 and 5 do not apply to a bicycle parked at a bicycle rail or bicycle rack.

1.6 Interpretation
(1) In this local law unless the context requires otherwise—

*Act* means the Local Government Act 1995;

*Australian Standard* means an Australian Standard published by Standards Australia and as amended from time to time;

*attended parking station* means a parking station attended by an officer of the local government and in respect of which fees for the parking of a vehicle are payable immediately prior to the removal of the vehicle from the station;

*authorised person* means a person appointed by the local government 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 local government, the Chief Executive Officer or an authorised 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.
business development has the meaning given to it by the Code.
business embayment has the meaning given to it by the Code.
business stop has the meaning given to it by the Code.
business 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;
Chief Executive Officer means the Chief Executive Officer of the local government;
children’s crossing has the meaning given to it by the Code.
coin means any coin which is legal tender pursuant to the Currency Act 1965 (Commonwealth);
commercial vehicle means a vehicle whether licenced or not, that has a gross vehicle mass of greater than 4.5 tonnes and/or which is greater than 7 metres in length and 2.4 metres in height, including—
(a) a utility, van, truck, tractor, bus or earthmoving equipment; and
(b) a vehicle that is, or is designed to be an attachment to a vehicle referred to in paragraph (a);
costs of the local government include its administrative costs;
cul-de-sac means a carriageway closed at one end that has the same entry and exit point;
disability parking permit has the meaning given to it by the Local Government (Parking for People with Disabilities) Regulations 2014;
display means to place in a prominent place inside the vehicle on the front passenger's side, preferably on the dashboard, in order that the text may readily be seen and read from outside of the vehicle;
district means the district of the local government;
driver means any person driving or having control of a vehicle;
Eating area means an area in which tables, chairs and other structures are provided for the purpose of the supply of food and beverages to a member of the public or the consumption of food and beverages by a member of the public;
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.
fiber optic cable means an upright pipe with a spout, nozzle or other outlet for drawing water from a main or service pipe in case of fire or other emergency;
footpath has the meaning given to it by the Code.
GTM means ‘gross trailer mass’ as given to it by the Code.
GVM means ‘gross vehicle mass’ as given to it by the Code.
kink means any structure, mark, marking or device to delineate or indicate the edge of a carriageway;
laneway means a narrow carriageway generally situated at the rear of a lot, the purpose of which is to service the lots adjacent to it and not as a general thoroughfare for through traffic;
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 City of Kwinana;
metered space means a section or part of a metered zone that is controlled by a parking meter and that is marked or defined in any way to indicate where a vehicle may be parked on payment of a fee or charge.
metered zone means any road or reserve, or part of any road or reserve, in which parking meters regulate the stopping or parking of vehicles;
motorcycle has the meaning given to it by the Code.
motor vehicle means a self-propelled vehicle that is not operated on rails, and includes a trailer, semi-trailer, or caravan while attached to the vehicle, but does not include a power assisted pedal cycle;

no parking area means a portion of a carriageway to which a no parking sign applies or an area to which a no parking sign applies;

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 means a portion of a carriageway to which a no stopping sign applies or an area to which a no stopping sign applies;

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

obstruct means to prevent or impede or to make difficult the normal passage of any vehicle, wheelchair, perambulator or pedestrian and obstruction shall have a corresponding meaning;

occupier has the meaning given to it by the Act;

owner—
(a) where used in relation to a vehicle licensed under the Road Traffic Act 1974 means the person in whose name the vehicle has been registered under the Road Traffic Act 1974;
(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;

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

parking area means a portion of a carriageway to which a permissive parking sign applies or a parking facility managed by the local government to which a permissive parking sign applies;

parking facilities includes land, buildings, shelters, road reserve, parking area, metered zone, ticket machine zone, parking bay, parking station, attended parking station, parking stalls and other facilities open to the public generally for the parking of vehicles whether or not a fee is charged, and includes any signs, notices and facilities used in connection with the parking of vehicles;

parking region means the whole of the district except for those areas, roads, bridges and subways under the control and direction of the Commissioner of Main Roads;

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, but does not include a metered space;

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

parking ticket means a ticket which is issued from a ticket issuing machine and which authorises the parking of a vehicle in a parking stall or a parking station or part of a parking station;

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

permit means a permit issued under this local law;

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

residential street means a thoroughfare where the majority of properties abutting the thoroughfare are used for residential purposes;

residential zone means land within the residential zone specified within the City of Kwinana’s town planning scheme dealing with zoning;

right of way means a portion of land that is—
(a) shown and marked “Right of Way” or “ROW”, or coloured or marked in any other way to signify that the portion of land is a right of way, on any plan or diagram deposited with the Registrar of Titles that is subject to the provisions of section 167A of the Transfer of Land Act 1893;
(b) shown on a diagram or plan of survey relating to a subdivision that is created as a right of way and vested in the Crown under section 152 of the Planning and Development Act 2005 and
(c) shown and marked as a right of way on a map or plan deposited with the Registrar of Titles and transferred to the Crown under the Transfer of Land Act 1893,

but does not include—
(a) private driveways; and
(b) a right of way created by a deed of easement between two or more parties;
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 by the *Code*;
sign includes a traffic sign, inscription, road marking, mark, structure or device 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 or stopping of vehicles;
special purpose vehicle has the meaning given to it by the *Code*;
special residential zone means land within the special residential zone specified within the City of Kwinana’s town planning scheme dealing with zoning;
Standards Australia means Standards Australia Limited ACN 087 326 690;
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, but is not limited to, any symbol specified by the current Australian Standard 1742.11 and any symbol specified from time to time by Standards Australia for use in the regulation of parking;
take weight in relation to a vehicle, means the weight of the vehicle without any passengers or load;
taxi means a taxi within the meaning of section 47Z of the *Transport Co-ordination Act 1966*;
taxi zone has the meaning given to it by the *Code*;
ticket issuing machine means a machine or device which is installed in a parking facility and which upon the insertion of coins or a token, pass, card, key or device issues a parking ticket;
ticket machine zone means a parking facility in which ticket issuing machines are installed but does not include a parking station;
thoroughfare has the meaning given to it by the *Act*;
town planning schemes are local planning schemes as defined in the *Planning and Development Act 2005* and mean the Town of Kwinana Town Planning Schemes No 2 and No 3 or any subsequently adopted local planning scheme of the City of Kwinana;
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 including a trailerable vessel, but does not include the rear portion of an articulated vehicle, or a side car;
trailerable vessel means a monohull or multi-hull boat which can be transported on the road on the same trailer used to launch and retrieve it;
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;
vehicle has the meaning of every conveyance, whether licensed or not, a vessel or aircraft, and every object capable of being propelled or drawn including trailers and caravans, on wheels or tracks, or by any means;
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.
(2) For the purposes of the application of the definitions “no parking area” and “parking area” an arrow inscribed on a 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.
(3) A reference to a word or expression inscribed on a sign includes a reference to a symbol depicting the word or expression.
(4) A reference to a parking station, ticket machine zone or metered zone includes a reference to part of the parking station, ticket machine zone or metered zone.
(5) Unless the context otherwise requires, where a term is used, but not defined in this local law and—
(a) it is defined in the *Act*, it shall have the meaning given to it in the *Act* and
(b) it is defined in the *Road Traffic Act* or in the *Code*, it shall have the meaning given to it in the *Road Traffic Act* or the *Code*.

1.7 Classes of vehicles
For the purpose of this local law, vehicles are divided into the following classes—
(a) buses;
(b) commercial vehicles;
(c) motorcycles and bicycles;
(d) taxis;
(e) trailers and caravans (a trailerable vessel is included in this class to the extent that it is located upon a trailer); and
(f) all other vehicles.
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.

1.9 Determination of fees, charges and costs
All fees, charges and costs referred to in this local law shall be determined and imposed by the local government from time to time in accordance with sections 6.16 to 6.20 of the Act.

1.10 Relationship with other laws
In the event of any inconsistency with any Act, Regulation or local planning scheme, the provisions of those Acts, Regulations or local planning schemes are to prevail.

PART 2—SIGNS

2.1 Erection of signs
The local government may erect a sign for the purposes of this local law on any land, building or other structure within the parking region.

2.2 Compliance with signs
(1) A person shall comply with the direction on every sign displayed, marked, placed, or erected pursuant to this local law.
(2) An inscription or symbol on a sign operates and has effect according to its meaning and a person contravening the direction on a sign commits an offence under this local law.

2.3 Unauthorised signs and defacing of signs
A person shall not without the approval of the local government—
(a) display, 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.

2.4 General provisions about signs
(1) A sign marked, erected, set up, established or displayed on or near a thoroughfare or in a parking station is, in the absence of evidence to the contrary to be deemed to be a sign marked, erected, set up, established or displayed under the authority of this local law.
(2) The first three letters of any day of the week when used on a sign indicate that day of the week.
(3) For the purpose of this local law, the local government may use Australian Standard AS 1742.11, as a guide for the development or marking of signs, but is not bound to do so and, where it does use it as a guide may vary any of the provisions of Australian Standard AS 1742.11 as it sees fit.

2.5 Application of this local law to pre-existing signs
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.

2.6 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.

PART 3—PARKING STALLS AND PARKING STATIONS

3.1 Determination of parking stalls and parking stations
(1) The local government may by resolution constitute, determine and vary and also indicate by signs—
(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.
Where the local government makes a determination under subclause (1) it shall erect signs to give effect to the determination.

3.2 Vehicles to be within parking stall on thoroughfare

(1) Subject to subclauses (2), (3) and (4), a person shall not park a vehicle in a parking stall in a thoroughfare otherwise than—
   (a) parallel to and as close to the kerb as is practicable;
   (b) wholly within the stall; and
   (c) headed in the direction of the movement of traffic on the side of the thoroughfare in which the stall is situated.

(2) Subject to subclause (3) where a parking stall in a thoroughfare is set out otherwise than parallel to the kerb, then a person must park a vehicle in that stall wholly within it.

(3) If a vehicle is too long or too wide to fit completely within a single parking stall then the person parking the vehicle shall do so within the minimum number of parking stalls needed to park that vehicle, but shall not park outside an area marked with stalls.

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

3.3 Parking prohibitions and restrictions

(1) A person shall not—
   (a) stop or park a vehicle in a parking station so as to obstruct any entrance, exit, carriageway, passage or thoroughfare of the parking station;
   (b) except with the permission of the local government or an authorised person park a vehicle on any part of a parking station contrary to a sign referable to that part;
   (c) permit a vehicle to park on any part of a parking station, if an authorised person directs the driver of such vehicle to move the vehicle from such part or from the parking station; 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, unless it is parked at a bicycle rail or in a bicycle rack.

(3) Notwithstanding the provisions of subclause (1)(b) a driver may park a vehicle in a parking stall or station (except in a parking area for people with disabilities) for twice the period of time permitted by the sign, provided that—
   (a) the driver’s vehicle displays a disability parking permit; and
   (b) a person with disabilities to which that disability parking permit relates is either the driver of, or a passenger in the vehicle.

PART 4—PARKING GENERALLY

4.1 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;
   (c) during any period when the parking of vehicles is prohibited by a sign; or
   (d) by exceeding the length of time specified by a sign.

(2) (a) In subclause(2)(b) driver means a driver where—
       (i) the driver’s vehicle displays a disability parking permit; and
       (ii) a disabled person to which the disability parking permit relates is either the driver of the vehicle or a passenger in the vehicle.
   (b) A driver may park a vehicle 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 of time permitted by a sign referable to the thoroughfare or the part of the thoroughfare or the part of the parking station.

(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, without the prior permission of the local government, or an authorised person, park a vehicle in an area designated by a sign stating “Authorised Vehicles Only”.

4.1A Stopping in a parking area for people with disabilities
(1) In this clause, unless the contrary intention appears—

authorised vehicle means a vehicle—
(a) used by the holder of a disability parking permit; and
(b) identified in accordance with regulation 6 of the Local Government (Parking for People with Disabilities) Regulations 2014.

disability parking permit means a current document issued by the National Disability Service (ACN 008 445 485), consisting of—
(a) an Australian Disability Parking Permit; and
(b) an ACROD Parking Program Card;

(2) A vehicle shall not stop in a parking area for people with disabilities unless—
(a) the vehicle displays an ACROD Program Card; and
(b) either the driver or a passenger of that vehicle possess a current Australian Disability Parking Permit.

(3) In this clause, a parking area for people with disabilities is a parking stall—
(a) to which a parking control sign of the kind referred to in regulation 3 paragraphs (i) and (k) of the definition of that term in the Road Traffic Code 2000 applies; and
(b) a people with disabilities symbol (as depicted in the Road Traffic Code 2000 regulation 171(2)), clearly marked on the ground within the limits of the permit parking.

4.2 Parking vehicle on a carriageway

(1) A person parking a vehicle on a carriageway other than in a parking stall shall park it so that it complies with the requirements of clause 4.8 and—
(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:
(e) in a cul-de-sac so as to not obstruct the turning of vehicles within the cul-de-sac;
(f) in a laneway so as to not obstruct any vehicle on the carriageway, and
(g) so that it does not obstruct any vehicle on a carriageway;

unless otherwise indicated by a sign.

(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) (a) The driver of any vehicle standing on any carriageway in any park or reserve shall place and keep the vehicle close to and parallel with the road edge, kerb or footpath on the left of the vehicle, except where channels or other obstructions prevent this from being done;
(b) Subclause (3)(a) shall not apply to a vehicle parked in an area where the parking bays have been marked other than parallel to the road edge.

4.3 When parallel and right-angled parking apply

Where a 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.

4.4 When angle parking applies

(1) 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.

(2) This clause does not apply to—
(a) a commercial vehicle; or
4.5 General prohibitions on parking

(1) (a) This clause does not apply to a vehicle parked in a parking stall.
(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 on a thoroughfare so that any portion of the vehicle is:

(a) between any other stationary vehicle or vehicles and the centre of the carriageway (double parking);
(b) on or adjacent to a median strip;
(c) obstructing a right of way, private driveway or carriageway or so close as to deny a vehicle reasonable access to or egress from the right of way, private driveway 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) either wholly or partially on or overhanging 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;
(k) within 10 metres of the commencement of the change of direction of the kerb of a road at an intersecting carriageway on either the approach or departure side;

(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.

4.6 Authorised person may order vehicle on thoroughfare to be moved

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

4.7 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 two hours.

(3) Where parking in a thoroughfare is restricted as to time and a vehicle has been parked in that thoroughfare a person shall not park that vehicle again in that thoroughfare unless there is between the place where the vehicle had been parked and the place where the vehicle is subsequently parked another thoroughfare that meets or intersects that thoroughfare.

4.8 No parking of vehicles exposed for sale and in other circumstances

A person shall not park a vehicle on any part of a thoroughfare—

(a) for the purpose of exposing it for sale;
(b) if that vehicle is not licensed under the Road Traffic Act 1974;
(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, nor dismantle or construct it, other than to effect the minimum repairs necessary to enable the vehicle to be moved to a place other than a thoroughfare.

4.9 Parking on private land
(1) In this clause a reference to “private land” does not include land—
   (a) which belongs to the local government;
   (b) of which the local government is the management body under the Land Administration Act 1997;
   (c) which is an ‘otherwise unvested facility’ within section 3.53 of the Act;
   (d) which is the subject of an agreement referred to in clause 1.5(2); or
   (e) which is identified in a register of parking stations maintained by the local government in accordance with clause 1.5.
(2) Parking on private land other than land identified in sub-clause (1) is dealt with in the town planning schemes.
(3) Unless otherwise permitted by law, a person shall not park a vehicle on land identified in sub-clause (1) without the consent of the local government.

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

4.11 Parking on verges
(1) Unless otherwise permitted by clause 7.3, a person shall not—
   (a) park any vehicle (commercial or otherwise); or
   (b) park a trailer or caravan unattached to a motor vehicle; or
   (c) park a vehicle during any period when parking 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;
   (a) 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 park the vehicle so that any portion of it is on the verge; or
   (b) a vehicle when it is being loaded or unloaded immediately with goods, merchandise or materials collected from or delivered to the premises adjacent to the portion of the verge on which the vehicle is parked. Provided that the person is authorised by the occupier of those premises and no obstruction is caused to the passage of any vehicle or person using a carriageway or a footpath; or
   (c) a commercial vehicle associated with building works being carried out on the premises at that time and place.
(3) Subclause 2(a) does not allow for or include the parking of commercial vehicles.

4.12 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 or an authorised person may, subject to the Code, permit a person to park a vehicle in that portion of the thoroughfare or parking facility for longer than the permitted time in order that the person may carry out urgent, essential or official duties.
(2) Where permission is granted under subclause (1), the local government or an authorised person may prohibit the use by any other vehicle of that portion of the thoroughfare or parking facility to which the permission relates, for the duration of that permission.

4.13 Parking in a parking station
(1) Display of Tickets—
   (a) Subject to subclause (2) a person shall not stop or park a vehicle in any part of a parking station equipped with a ticket issuing machine or a parking facility during any permitted period unless—
      (i) an unexpired parking ticket or unexpired parking tickets applicable to that part of the parking station and issued on that day; and
      (ii) the date and time of issue or expiry of the ticket, as the case may be, and the number of the ticket, if any, printed thereon, are displayed inside the vehicle and 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 that part of the parking station.
   (b) For the purposes of subclause (1), a parking ticket issued in respect of any parking station or any part of a parking station which has been set aside under this local law shall be applicable only to that parking station or that part of that parking station, as the case may be.
   (c) A reference in this clause to—
(i) **permitted period** means the period stated on the ticket issuing machines in the parking station during which the parking of vehicle is permitted upon the purchase of a parking ticket;

(ii) **unexpired parking ticket** means a parking ticket on which—
    (a) a date and expiry time is printed and that time has not expired; or
    (b) a date and time of issue is printed and the period for which that ticket remains valid as stated on the ticket issuing machine from which the ticket was purchased has not expired.

(2) Use of Parking Tickets—
A person shall not—
    (a) deface, alter, add to, erase, obliterate or otherwise interfere with a parking ticket or any information, printing or imprint thereon;
    (b) park a vehicle in a parking station or parking facility if there is displayed in that vehicle so as to be visible from outside the vehicle a parking ticket which has been defaced, altered, added to, erased, obliterated or otherwise interfered with; or
    (c) produce to an authorised person or the local government to accept payment of parking fees, a parking ticket which is, or any information, printing or imprint on which is defaced, altered, added to, erased, obliterated or otherwise interfered with.

(3) Fees for Motorcycles in Parking Stations—
(a) A fee payable for the parking of a motorcycle and the period of application of the fee in a parking station may be determined and imposed by the local government.
(b) The local government shall not be obliged to accept payment of any fee referred to in this clause.

(4) Parking Position for Motorcycles—
A person shall not stop or park a motorcycle in a parking station equipped with a ticket issuing machine unless—
    (a) wholly within a parking stall marked with the symbol “M/C” or otherwise designated as being set aside for the parking of motorcycles;
    (b) that person has paid to the local government the fee; and
    (c) during the period for which the fee is applicable.

(5) Set aside Parking Stations for Multiple Occupants—
The local government in respect of any period or time may by the use of signs set aside any parking station or any part of a parking station and prohibit entry thereto by vehicles other than vehicles carrying in addition to the driver at least one other person.

(6) Parking Restrictions for Vehicles with Multiple Occupants—
(a) The local government may determine and impose a fee payable for the parking of a vehicle in any parking station or part of a parking station at any time or for specified times.
(b) A person shall not stop or park a vehicle in any parking station or part of a parking station which has been set aside under this local law at the times or within such period specified pursuant to this local law unless the vehicle is carrying at least one other person.
(c) A person shall not enter any parking station or part of a parking station which has been set aside under this local law at the times or within such period specified pursuant to this local law unless that person is the driver of or passenger in a vehicle carrying at least one other person.

PART 5—PARKING AND STOPPING

**Division 1—Parking and stopping generally**

5.1 **No stopping and no parking signs, and yellow edge lines**

(1) **No stopping**—
A driver shall not stop on a part of a carriageway, or in an area, to which a no stopping sign applies.

(2) **No parking**—
A driver shall not stop on a part of a carriageway or in an area to which a no parking sign applies, unless the driver is—
    (a) dropping off, or picking up, passengers or goods;
    (b) does not leave the vehicle unattended; and
    (c) completes the dropping off, or picking up, of the passengers or goods within 2 minutes of stopping and drives on.

(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.
Division 2—Stopping in zones for particular vehicles

5.2 Stopping in a loading zone
A person shall not stop a vehicle in a loading zone unless it is—
(a) a motor vehicle used for commercial or trade purposes engaged in the picking up or setting down of goods; or
(b) a motor vehicle taking up or setting down passengers,
but, in any event, shall not remain in that loading zone—
(c) for longer than a time indicated on the "loading zone" sign; or
(d) longer than 30 minutes (if no time is indicated on the sign).

5.3 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.

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

5.5 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 in respect to classes of persons or vehicles, or specific activities allowed, as indicated by additional words on a sign that applies to the zone.

Division 3—Other places where stopping is restricted

5.6 Stopping in a shared zone
A driver shall not stop in a shared zone unless—
(a) the driver stops at a place on a part of a carriageway, or in an area, to which a sign applies and the driver is permitted to stop at that place by the sign;
(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.

5.7 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.

5.8 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.

5.9 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 parking; or
(b) the driver stops at a place on a part of a carriageway, or in an area, to which a sign applies and the driver is permitted to stop at that place by the sign.
(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.

5.10 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 sign applies and the driver is permitted to stop at that place by the sign.
5.11 Stopping near a fire hydrant etc
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.

5.12 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 part of a carriageway, or in an area, to which a sign applies and the driver is permitted to stop at that place by the sign.

(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.

5.13 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 traffic island or median strip, unless the driver stops in an area, to which a sign applies and the driver is permitted to stop at that place by the sign.

5.14 Stopping on verges
(1) Unless otherwise permitted by clause 7.3, a person shall not—

(a) stop any vehicle (commercial or otherwise); or

(b) stop a trailer or caravan unattached to a motor vehicle; or

(c) stop a vehicle during any period when stopping of vehicles on that verge is prohibited by a sign adjacent and referable to that verge,

so that any portion of it is on a verge.

(2) Subclause (1)(a) does not apply to:

(a) 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; or

(b) a vehicle when it is being loaded or unloaded immediately with goods, merchandise or materials collected from or delivered to the premises adjacent to the portion of the verge on which the vehicle is stopped provided that the person is authorised by the occupier of those premises and no obstruction is caused to the passage of any vehicle or person using a carriageway or a footpath; or

(c) a commercial vehicle associated with building works being carried out on the premises at that place.

(3) Subclause 2(a) does not allow for or include the stopping of commercial vehicles for a period of longer than 4 hours.

5.15 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.

5.16 Stopping near a public 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 part of a carriageway, or in an area, to which a sign applies and the driver is permitted to stop at that place by the sign.

5.17 Stopping on a thoroughfare—commercial vehicles
Subject to any clause to the contrary or sign referable to the thoroughfare, a person shall not stop a commercial vehicle—

(a) on a thoroughfare in a built-up area, for any period exceeding 4 hours, unless actively engaged in the picking up or setting down of goods; or

(b) on a thoroughfare, other than a built-up area, for any period exceeding 4 hours, unless actively engaged in the picking up or setting down of goods; or

(c) on a thoroughfare for any period exceeding 4 hours, unless the vehicle is a public bus or a taxi.
(b) on a thoroughfare 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 such vehicles; or
(c) on a thoroughfare in a residential or special residential zoned area between the hours of 6.00pm one day and 6.00am the following day; unless a permit has been issued in accordance with clause 5.21 of this local law.

5.18 Stopping on a carriageway with a bicycle parking sign
The driver of a vehicle (other than a bicycle) shall not stop on a part of a carriageway to which a “bicycle parking” sign applies, unless the driver is dropping off, or picking up, passengers.

5.19 Stopping on a carriageway with motorcycle parking sign
The driver of a motor vehicle shall not stop on a part of a carriageway, or in an area, to which a “motorcycle parking” sign applies, or an area marked “M/C” unless—
(a) the vehicle is a motorcycle; or
(b) the driver is dropping off, or picking up, passengers.

5.20 Eating areas in parking stalls
A person shall not stop or park a vehicle in a parking stall which has been authorised in writing by the local government, to be set up or conducted as an eating area and which is designated by signs as such at that time.

5.21 Permits in parking facilities
(1) The local government or authorised person may, whether upon payment of a fee or not, issue a Parking Facilities Permit which allows a specific vehicle or class of vehicle to stop or park—
(a) in a specified kerbside area;
(b) in a car park which is controlled by a sign, in contravention of the restriction specified on that sign; or
(c) in any other place under the control of the local government.
(2) A permit issued under subclause (1) may—
(a) authorise the stopping or parking of the vehicle continuously for a specified period or periods between specified times or from time to time during a specified period; and
(b) be revoked or suspended at any time by the local government or an authorised person before the expiration of any time or period specified in the permit.
(3) A person shall not stop or park a vehicle in respect of which a permit has been issued pursuant to subclause (2)—
(a) except at the times or during the period specified in the permit;
(b) for any purpose other than the purpose for which the permit was issued; or
(c) at any time after the cancellation, withdrawal or suspension of the permit.
(4) Further conditions may be imposed in accordance with subclause (1) by the local government in relation to the issuing of such a permit.

5.22 Motorcycle stalls
(1) A person shall not stop or park a vehicle other than a bicycle or a motorcycle to which no side car or side-box is attached in a parking stall—
(a) marked with the symbol “M/C”; or
(b) in which the parking of bicycles or motorcycles is permitted by a sign referable to that parking stall.
(2) A person shall not stop or park a bicycle or motorcycle in a parking stall marked with the symbol “M/C”—
(a) for longer than the maximum period permitted for parking in that parking stall by a sign referable to that parking stall or metered space;
(b) if there is no sign referable to that parking stall than for longer than the maximum period during which a vehicle may stop or be parked as specified on any sign referable to any parking stall adjacent thereto; or
(c) otherwise than wholly within the stall.

PART 6—TICKET ISSUING MACHINES AND ZONES

6.1 Ticket issuing machines
(1) Damage to Ticket Issuing Machines—
A person shall not or attempt to remove, damage, deface, misuse or interfere with any ticket issuing machine.
(2) Signs on Ticket Issuing Machines—
A person shall not, without the permission of the local government, affix any board, sign, placard, notice, cover or other thing to or paint, mark or write upon any ticket issuing machine.
(3) Use of Coins in Ticket Issuing Machines—
A person shall not insert or cause to be inserted or attempt to insert into a coin slot of a ticket issuing machine anything other than a coin appropriate to that slot.

(4) Operating Ticket Issuing Machines—
A person shall not operate or attempt to operate a ticket issuing machine except in accordance with the operating instructions appearing on the ticket issuing machine.

6.2 Fees in ticket machine zones
(1) Fees for stopping and parking of vehicles in a ticket machine zone may be determined and imposed by the local government.
(2) A person must not stop or park a vehicle in a ticket machine zone unless the appropriate fee as indicated by a sign on the ticket issuing machine referable to the zone is inserted into the ticket issuing machine.
(3) The payment of the fee referred to in subclause (1) in accordance with subclause (2) entitles a person to stop or park a vehicle in a ticket machine zone for the period shown on the parking ticket, but does not authorise the stopping or parking of the vehicle in a parking space, or part of the zone during any time when stopping or parking in that zone is prohibited—
(a) under this local law;
(b) by the sign on the ticket issuing machine referable to the zone; or
(c) by a sign referable to that space.

6.3 Display of tickets
(1) A person shall not stop or park a vehicle in a ticket machine zone during any permitted period unless—
(a) an unexpired ticket issued by a ticket issuing machine in that ticket machine zone; and
(b) the date and time of issue or expiry, as the case may be, and the number, if any, of the ticket printed on the ticket,
are displayed inside the vehicle and are 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.
(2) A reference in this clause to—
(a) “permitted period” means the period stated on the ticket issuing machines in the ticket machine zone during which the parking of vehicle is permitted upon the purchase of a parking ticket;
(b) “unexpired parking ticket” means a parking ticket on which—
(i) a date and expiry time is printed and that time has not expired;
(ii) a date and time of issue is printed and the period for which that ticket remains valid as stated on the ticket issuing machine from which the ticket was purchased has not expired.
(3) For the purpose of this clause, where more than one parking ticket is displayed bearing the same date and time of issue, the period for each ticket referred to in subclause (2)(b) shall be aggregated and the tickets shall be deemed not to have expired until the expiry of the aggregate of those periods.

6.4 Parking limits
(1) A person shall not stop or park a vehicle in a ticket machine zone during any permitted period for longer than the maximum period.
(2) A reference in this clause to—
(a) “maximum period” means the maximum period stated on the ticket issuing machines in the zone during which the continuous parking of a vehicle in the zone is permitted;
(b) “permitted period” has the meaning given to it in clause 6.3(2)(a).

6.5 Parking position in ticket machine zones
A person shall not stop or park a vehicle in a ticket machine zone—
(1) on any part of which there are parking stalls set out parallel to a kerb otherwise than—
(a) parallel to that kerb;
(b) as close to the kerb as practicable;
(c) wholly within a parking stall;
(d) headed in the direction of the movement of traffic on the part of the carriageway on which the parking stall is situated;
(2) on any part of which there are parking stalls not set out parallel to a kerb otherwise than wholly within a parking stall.

PART 7—RESIDENTIAL PARKING PERMITS

7.1 Definitions
In this Part, unless the context otherwise requires—

dwelling unit means premises lawfully used for self contained living quarters:
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;
parking facilities parking permit means a permit issued to a person by the local government
pursuant to clause 7.3(3);
residential parking permit means a permit issued to a resident by the local government 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;
single house means a dwelling unit constructed on its own lot and used for self contained living
quarters and which is adjacent to a part of a road on which the stopping or parking of vehicles
is prohibited for more than a specified period;
single house occupier means an occupier of a single house;
strata company has the meaning given to it in the Strata Titles Act 1985;
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;
visitor’s parking permit means a permit issued by the local government pursuant to clause 7.3(2).

7.2 Exemption for permit holders
(1) (a) Where on any part of a thoroughfare the stopping or parking of vehicles is prohibited by a
sign for more than a specified period or where any part of a thoroughfare is a metered space,
the holder of a valid permit is exempted from such prohibition.
(b) The local government may also issue a permit which exempts the holder from compliance
with the requirements of clauses 7(2)(a) and 7(2)(b).
(2) The exemption conferred by subclause (1) shall apply only—
(a) to the part of a thoroughfare specified in the permit;
(b) where the time restriction applicable to that part of the thoroughfare is for a period exceeding
30 minutes;
(c) where the permit displayed is a residential parking permit to the vehicle specified in the
residential parking permit;
(d) 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;
(e) 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 thoroughfare or the
part of the thoroughfare specified in the permit.

7.3 Issue of permits
(1) The local government may upon a written application of an eligible person, issue a residential
parking permit in the form determined by the local government.
(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 determined by the local government;
(3) The local government’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 local government may approve the
issue of a number of parking facility, residential or visitor’s parking permits to any owner or occupier
on such terms and conditions as the local government sees fit.

7.4 Discretionary authority
Notwithstanding any other provisions in this local law which restrict the number of residential or
visitors’ parking permits that may be issued, the local government may approve the issue of one
additional residential parking permit or one additional visitor’s parking permits to any occupier on
such terms and conditions as the local government sees fit.

7.5 Validity of 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 a period of twelve months or lesser term as determined by the local government
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.

7.6 Revocation of a permit

(1) The local government may at any time give an eligible person to whom a permit was issued pursuant to the provisions of this local law notice requiring that person to notify the local government of any reason why that permit should not be revoked.

(2) The local government shall give notice referred to subclause (1) in the form determined by the local government by serving the notice on the eligible person to whom the permit was issued.

(3) If within seven (7) days after the date of receipt of the notice referred to in subclause (2) the eligible person to whom the permit was issued—
   (a) fails to give the local government notice in writing of any reason why the permit should not be revoked; or
   (b) gives the local government notice in writing of any reasons why the permit should not be revoked;

then the local government may in its absolute discretion revoke that permit.

(4) For the purpose of subclause (3) the date of receipt of the notice shall be the date the notice was served.

(5) The local government shall give notice of the revocation in the form determined by the local government by serving the notice on the eligible person to whom the permit was issued.

7.7 Removal of permit from vehicle

The holder of a residential parking permit shall forthwith 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.

7.8 Replacement of permit

(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 parking permit or visitor’s parking permit which is lost, destroyed or stolen.

(2) The local government may determine and impose a fee for the issue of a replacement permit pursuant to this clause.

(3) Notwithstanding subclause (2), no fee shall be payable for the issue of a replacement permit if evidence is produced in writing to the satisfaction of the local government—
   (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 local government considers warrants the waiving of the fee.

7.9 Display of residential or visitor’s parking permits

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 Authorised persons

No offence under this local law is committed by an authorised person while carrying out his or her duties as an authorised person.

8.2 Necessary power

An authorised person has all necessary powers for the purpose of performing or observing all of the functions conferred on him or her under the Act and this local law.

8.3 Authorised person to be obeyed

A person who is given a direction by an authorised person or a member of the WA Police Force under this local law, or in relation to a contravention of this local law, shall comply with that direction.

8.4 Persons may be directed to leave local government property

An authorised person may direct a person to leave local government property or a local government building where the authorised person reasonably suspects that the person has contravened a provision of this local law.

8.5 Marking of tyres

(1) For the purposes of ascertaining whether or not a parked vehicle has been or may be parked in contravention of any provision of this local law an authorised person may mark the tyres of a vehicle parked in a parking facility with chalk or any other non-indelible substance.

(2) A person shall not remove or interfere with any such mark referred to in subclause (1) so that the purpose of affixing that mark is or may be defeated.
8.6 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 or an authorised person, shall not remove from the vehicle any notice put on the vehicle by an authorised person.

8.7 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 anyplace, 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.

8.8 Vehicles not to obstruct a reserve, verge or thoroughfare
(1) A person shall not leave a vehicle, or any part of a vehicle, in a reserve, verge or thoroughfare so that it obstructs the use of any part of that reserve, verge or thoroughfare without the permission of the local government or unless authorised under any written law.
(2) A person will not contravene subclause (1) where the vehicle is left for a period not exceeding 24 hours or is permitted to do so by the local government, unless the vehicle is causing an obstruction or may cause a danger to the public or is jeopardising or may jeopardise the safety of a person.
(3) A vehicle found to be in contravention of sub-clause (2) may be impounded by an authorised officer.
(4) The impounding of vehicles and other goods under sub-clause (3) shall be carried out in accordance with sections 3.37 and 3.48 of the Act and Regulation 29 of the Local Government (Functions and General) Regulations 1996.

8.9 Damage to parking stations and facilities
A person shall not, and shall not attempt to, remove, damage, deface, misuse or interfere with any part of a parking station or parking facility.

8.10 Local government may lock parking stations
At the expiration of the hours of operation of a parking station, the local government, whether or not any vehicle remains parked in a parking station, may lock the parking station or otherwise prevent the movement of any vehicle within or to or from the parking station.

PART 9—PENALTIES

9.1 Offences and penalties
(1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
(2) A person who commits an offence under this local law is liable on conviction to a penalty not less than $250 and not exceeding $5,000, and if the offence is of a continuing nature, to a further penalty not exceeding a fine of $500 in respect of each day or part of a day during which the offence has continued.
(3) An offence against any provision of this local law is a prescribed offence for the purposes of section 9.16(1) of the Act.
(4) The amount appearing in the final column of Schedule 2 directly opposite a clause specified in that Schedule is the modified penalty for an offence against that clause.

9.2 Forms of notices—
For the purposes of this local law—
(a) where a vehicle is involved in the commission of an offence, the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 1 of the Local Government (Functions and General) Regulations 1996;
(b) the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the Local Government (Functions and General) Regulations 1996; and
(c) the form of the notice referred to in section 9.20 of the Act is that of Form 3 in Schedule 1 of the Local Government (Functions and General) Regulations 1996.

Schedule 1
PARKING REGION

Local Government Act 1995
CITY OF KWINANA PARKING AND PARKING FACILITIES LOCAL LAW 2018

Parking Region
The parking region is the whole of the district, but excludes the following portions of the district—
(1) the approach and departure prohibition areas of all existing and future traffic control signal installations as determined by the Commissioner of Main Roads:
(2) prohibition areas applicable to all existing and future bridges and subways as determined by
the Commissioner of Main Roads;
(3) any road which comes under the control of the Commissioner of Main Roads unless the
control of parking and parking facilities on that road is carried out subject to the control and
direction of the Commissioner of Main Roads or has been delegated by the Commissioner to
the local government.

Schedule 2
PRESCRIBED OFFENCES

Local Government Act 1995
CITY OF KWINANA PARKING AND PARKING FACILITIES LOCAL LAW 2018

Offences and Modified Penalties

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<td>Failure to stop or park wholly within a parking stall in a ticket machine zone</td>
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</tr>
<tr>
<td>100.</td>
<td>6.5(1)(d)</td>
<td>Failure to stop or park in direction of movement of traffic in a ticket machine zone</td>
<td>50</td>
</tr>
<tr>
<td>101.</td>
<td>7.9</td>
<td>Failure to display a valid permit</td>
<td>85</td>
</tr>
<tr>
<td>102.</td>
<td>8.3</td>
<td>Failure to comply with a lawful direction of an authorised person</td>
<td>150</td>
</tr>
<tr>
<td>103.</td>
<td>8.4</td>
<td>Failure to leave local government property when lawfully directed to do so by an authorised person</td>
<td>150</td>
</tr>
<tr>
<td>104.</td>
<td>8.5(2)</td>
<td>Removing or interfering with a lawful mark on a tyre</td>
<td>125</td>
</tr>
<tr>
<td>105.</td>
<td>8.6</td>
<td>Removing a notice on a vehicle</td>
<td>125</td>
</tr>
<tr>
<td>106.</td>
<td>8.8(1)</td>
<td>Leaving a vehicle in a public place or thoroughfare so as to cause an obstruction</td>
<td>125</td>
</tr>
<tr>
<td>107.</td>
<td>8.9</td>
<td>Attempting to or removing, damaging, defacing, misusing or interfering with any part of a parking station or parking facility</td>
<td>150</td>
</tr>
<tr>
<td>108.</td>
<td></td>
<td>All other offences not specified</td>
<td>85</td>
</tr>
</tbody>
</table>

Dated this 15th day of November, 2018.
The Common Seal of the City of Kwinana was hereunto affixed in the presence of—

CAROL ADAMS, Mayor.
JOANNE ABBISS, Chief Executive Officer.
LOCAL GOVERNMENT ACT 1995
Shire of Northam
STANDING ORDERS AMENDMENT LOCAL LAW 2018

Under the powers conferred by the Local Government Act 1995 and under all other powers enabling it, the Council of the Shire of Northam resolved by Absolute Majority on 21 November 2018 to make the following local law.

1. Citation
This local law may be cited as the Shire of Northam Standing Orders Amendment Local Law 2018.

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

3. Principal local law amended
3.1 In this local law the Shire of Northam Standing Orders Local Law 2018 as published in the Government Gazette on 24 April 2018, is referred to as the Principal Local Law.

3.2 The Principal local law is amended.

4. Clause 2.4 Amended
Clause 2.4 is amended as follows—
(a) Delete ‘s5.16’ and insert ‘section 5.17’;
(b) Delete ‘Absolute Majority’.

5. Clause 3.5 Amended
Clause 3.5 is amended as follows—
Delete the first occurrence of ‘the’.

6. Clause 5.1(4) Amended
Clause 5.1(4) is amended as follows—
Delete ‘(item 10)’.

7. Clause 19.1 Amended
Clause 19.1 is amended as follows—
Insert ‘A person who breaches a provision of these Local Laws commits an offence’.

Dated: 30 November 2018.
The Common Seal of the Shire of Northam was affixed by authority of a resolution of Council in the presence of—

CHRISTOPHER R. ANTONIO, President.
JASON B. WHITEAKER, Chief Executive Officer.
Under the powers conferred on it by the Local Government Act 1995 and all other relevant powers, the Council of the Shire of Gingin resolved on 20 November 2018 to make this local law.

1. Title
This local law may be cited as the Shire of Gingin Activities in Thoroughfares and Public Places and Trading Amendment Local Law 2018.

2. Commencement
This local law commences 14 days after the day on which it is published in the Government Gazette.

3. Principal Local Law

4. Clause 1.2 amended
In Clause 1.2—
(a) In the definition for “authorized person”, delete “authorized” and insert “authorised” wherever it appears in the definition;
(b) In the definition for “liquor” delete “Licensing” and insert “Control”;
(c) Insert a new definition in alphabetical order as follows—
“local planning scheme” means a local planning scheme of the local government made under the Planning and Development Act 2005;
(d) In the definition for “lot”, delete “Town Planning and Development Act 1928” and insert “Planning and Development Act 2005”; and
(e) Delete the definition for “Town Planning Scheme”.

5. Clause 2.4 amended
In Clause 2.4—
(a) In clause 2.4(2)(a)—
(i) delete “building licence” and insert “building permit”; and
(ii) delete “Local Government (Miscellaneous Provisions) Act 1960” and insert “Building Act 2011”; and
(b) In clause 2.4(2)(b)—
(i) delete “building licence” and insert “building permit”; and

6. Clause 3.1 amended
In Clause 3.1 in the definition for “election sign” delete “and”.

7. Clause 4.1 amended
In Clause 4.1(1) delete “authorized” and insert “authorised”.

8. Clause 5.1 amended
In Clause 5.1 in the definition for “Roadside Conservation Committee” delete “established under the Land Resource Policy Council within the Office of Premier and Cabinet” and insert “appointed by the responsible Minister”.

9. Clause 5.4 amended
In Clause 5.4 delete “Code of Practice for Roadside Conservation and Road Maintenance prepared by the Roadside Conservation Committee” and insert “Handbook of Environmental Practice for Road Construction and Maintenance Works”.

10. Clause 5.16 amended
In Clause 5.16—
(a) In subclause 5.16(b), delete “.” and insert “;”; and
(b) Insert “unless the Council deems it necessary to remove a significant fire risk.” at the end of the clause.

11. Clause 6.3 amended
In Clause 6.3(1) insert “on a public place” between “trading” and “unless”.

12. Clause 6.6 amended
In Clause 6.6—
(a) Delete clause 6.6(1)(k) and insert the following—
(k) the requirement to vacate and leave in a clean condition the location
to which the licence applies—
(i) at the conclusion of the permitted hours of operation specified in
the licence; and
(ii) whenever the trading is not taking place on the location to
which the licence applies;
(b) After clause 6.6(1)(n) insert the following—
(o) the requirement for the stallholder to ensure a minimum width of 2m
measured from the road kerb is kept clear for pedestrian access.

13. Clause 6.8 amended
In Clause 6.8(1)(c) delete “Weights and Measures Act 1915” and insert “National
Measurement Act 1960 (Cth)”.

In Clause 6.13 delete “authorized” and insert “authorised”.

15. Clause 6.17 amended
In Clause 6.17—
(a) In subclause 6.17(b)—
(i) delete “Health Act 1911” and insert “Food Act 2008”; and
(ii) delete “town” and insert “local”; and
(b) Delete clause 6.17(c).

16. Clause 6.18 amended
In Clause 6.18(1)(a) delete “and any local law made under section 172 of the Health
Act 1911”.

17. Clause 6.19 amended
In Clause 6.19 delete “authorized” and insert “authorised”.

18. Clause 6.21 amended
In Clause 6.21(1) delete “authorized” and insert “authorised”.

19. Clause 7.7 amended
In Clause 7.7(2) delete “mutatis mutandis” and insert “with all the necessary
changes as required”.

20. Clause 7.9 amended
In Clause 7.9 delete “authorized” and insert “authorised”.

21. Clause 7.10 amended
In Clause 7.10—
(a) Renumber clause 7.10(1)(i) as 7.10(1)(a); and
(b) Renumber clause 7.10(1)(ii) as 7.10(1)(b).

22. Clause 8.1 amended
In Clause 8.1 delete “and 34”.

23. Clause 10.4 amended
In Clause 10.4 delete clause 10.4(3).

24. Schedule 1 amended
Delete Schedule 1 and insert the following—

Schedule 1
PRESCRIBED OFFENCES

<table>
<thead>
<tr>
<th>Clause</th>
<th>Description</th>
<th>Modified Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1(a)</td>
<td>Plant of 0.75m in height on thoroughfare within 10m of intersection</td>
<td>125</td>
</tr>
<tr>
<td>2.1(b)</td>
<td>Damaging lawn or garden</td>
<td>125</td>
</tr>
<tr>
<td>2.1(c)</td>
<td>Plant (except grass) on thoroughfare within 2m of</td>
<td>125</td>
</tr>
<tr>
<td>Clause</td>
<td>Description</td>
<td>Modified Penalty</td>
</tr>
<tr>
<td>--------------</td>
<td>------------------------------------------------------------------------------</td>
<td>------------------</td>
</tr>
<tr>
<td>2.1(d)</td>
<td>Placing hazardous substance on footpath</td>
<td>125</td>
</tr>
<tr>
<td>2.1(e)</td>
<td>Damaging or interfering with signpost or structure on thoroughfare</td>
<td>350</td>
</tr>
<tr>
<td>2.1(f)</td>
<td>Playing games so as to impede vehicles or persons on thoroughfare</td>
<td>125</td>
</tr>
<tr>
<td>2.1(g)</td>
<td>Riding of skateboard or similar device on mall or verandah of shopping centre</td>
<td>125</td>
</tr>
<tr>
<td>2.1(h)</td>
<td>Digging a trench through a kerb or footpath without a permit</td>
<td>125</td>
</tr>
<tr>
<td>2.2(1)(a)</td>
<td>Throwing or placing anything on a verge without a permit</td>
<td>125</td>
</tr>
<tr>
<td>2.2(1)(c)</td>
<td>Causing obstruction to vehicle or person on thoroughfare without a permit</td>
<td>125</td>
</tr>
<tr>
<td>2.2(1)(d)</td>
<td>Causing obstruction to water channel on thoroughfare without a permit</td>
<td>250</td>
</tr>
<tr>
<td>2.2(1)(e)</td>
<td>Placing or draining offensive fluid on thoroughfare without a permit</td>
<td>250</td>
</tr>
<tr>
<td>2.2(1)(f)</td>
<td>Lighting a fire on a thoroughfare without a permit</td>
<td>350</td>
</tr>
<tr>
<td>2.2(1)(g)</td>
<td>Felling tree onto thoroughfare without a permit</td>
<td>125</td>
</tr>
<tr>
<td>2.2(1)(h)</td>
<td>Installing pipes or stone on thoroughfare without a permit</td>
<td>125</td>
</tr>
<tr>
<td>2.2(1)(i)</td>
<td>Installing a hoist or other thing on a structure or land for use over a thoroughfare without a permit</td>
<td>350</td>
</tr>
<tr>
<td>2.2(1)(j)</td>
<td>Creating a nuisance on a thoroughfare without a permit</td>
<td>125</td>
</tr>
<tr>
<td>2.2(1)(k)</td>
<td>Placing a bulk rubbish container on a thoroughfare without a permit</td>
<td>125</td>
</tr>
<tr>
<td>2.2(1)(l)</td>
<td>Interfering with anything on a thoroughfare without a permit</td>
<td>125</td>
</tr>
<tr>
<td>2.3(1)</td>
<td>Consumption or possession of liquor on thoroughfare</td>
<td>125</td>
</tr>
<tr>
<td>2.4(1)</td>
<td>Failure to obtain permit for temporary crossing</td>
<td>250</td>
</tr>
<tr>
<td>2.5(2)</td>
<td>Failure to comply with notice to remove crossing and reinstate kerb</td>
<td>350</td>
</tr>
<tr>
<td>2.9(1)</td>
<td>Installation of verge treatment other than permissible verge treatment</td>
<td>250</td>
</tr>
<tr>
<td>2.10</td>
<td>Failure to maintain permissible verge treatment or placement of obstruction on verge</td>
<td>125</td>
</tr>
<tr>
<td>2.11</td>
<td>Failure to comply with notice to rectify verge treatment</td>
<td>125</td>
</tr>
<tr>
<td>2.17(2)</td>
<td>Failure to comply with sign on public place</td>
<td>125</td>
</tr>
<tr>
<td>2.19(1)</td>
<td>Driving or taking a vehicle on a closed thoroughfare</td>
<td>350</td>
</tr>
<tr>
<td>3.2(1)</td>
<td>Placing advertising sign or affixing any advertisement on a thoroughfare without a permit</td>
<td>125</td>
</tr>
<tr>
<td>3.2(3)</td>
<td>Erecting or placing of advertising sign in a prohibited area</td>
<td>125</td>
</tr>
<tr>
<td>4.1(1)</td>
<td>Animal or vehicle obstructing a public place or local government property</td>
<td>125</td>
</tr>
<tr>
<td>4.2(2)(a)</td>
<td>Animal on thoroughfare when not led, ridden or driven</td>
<td>125</td>
</tr>
<tr>
<td>4.2(2)(b)</td>
<td>Animal on public place with infectious disease</td>
<td>125</td>
</tr>
<tr>
<td>4.2(2)(c)</td>
<td>Training or racing animal on thoroughfare in built-up area</td>
<td>125</td>
</tr>
<tr>
<td>4.2(3)</td>
<td>Horse led, ridden or driven on thoroughfare in built-up area</td>
<td>125</td>
</tr>
<tr>
<td>4.5</td>
<td>Person leaving shopping trolley in public place other than trolley bay</td>
<td>125</td>
</tr>
<tr>
<td>4.6(2)</td>
<td>Failure to remove shopping trolley upon being advised of location</td>
<td>125</td>
</tr>
<tr>
<td>5.6(1)</td>
<td>Driving a vehicle on other than the carriageway of a flora road</td>
<td>250</td>
</tr>
<tr>
<td>5.9</td>
<td>Planting in thoroughfare without a permit</td>
<td>250</td>
</tr>
</tbody>
</table>
| Clause | Description | Modified Penalty $
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>5.11</td>
<td>Failure to obtain permit to clear a thoroughfare</td>
<td>500</td>
</tr>
<tr>
<td>5.13</td>
<td>Burning of thoroughfare without a permit</td>
<td>500</td>
</tr>
<tr>
<td>5.17</td>
<td>Construction of firebreak on thoroughfare without a permit</td>
<td>500</td>
</tr>
<tr>
<td>5.19</td>
<td>Commercial harvesting of native flora on thoroughfare</td>
<td>500</td>
</tr>
<tr>
<td>5.20(1)</td>
<td>Collecting seed from native flora on thoroughfare without a permit</td>
<td>350</td>
</tr>
<tr>
<td>6.2(1)</td>
<td>Conducting of stall in public place without a permit</td>
<td>350</td>
</tr>
<tr>
<td>6.3(1)</td>
<td>Trading without a permit</td>
<td>350</td>
</tr>
<tr>
<td>6.8(1)(a)</td>
<td>Failure of stallholder or trader to display or carry permit</td>
<td>125</td>
</tr>
<tr>
<td>6.8(1)(b)</td>
<td>Stallholder or trader not displaying valid permit</td>
<td>125</td>
</tr>
<tr>
<td>6.8(1)(c)</td>
<td>Stallholder or trader not carrying certified scales when selling goods by weight</td>
<td>125</td>
</tr>
<tr>
<td>6.8(2)</td>
<td>Stallholder or trader engaged in prohibited conduct</td>
<td>125</td>
</tr>
<tr>
<td>6.10</td>
<td>Performing in a public place without a permit</td>
<td>125</td>
</tr>
<tr>
<td>6.11(2)</td>
<td>Failure of performer to move onto another area when directed</td>
<td>125</td>
</tr>
<tr>
<td>6.14</td>
<td>Failure of performer to comply with obligations</td>
<td>125</td>
</tr>
<tr>
<td>6.16</td>
<td>Establishment or conduct of outdoor eating facility without a permit</td>
<td>350</td>
</tr>
<tr>
<td>6.18</td>
<td>Failure of permit holder of outdoor eating facility to comply with obligations</td>
<td>125</td>
</tr>
<tr>
<td>6.20(1)</td>
<td>Use of equipment of outdoor eating facility without purchase of food or drink from facility</td>
<td>60</td>
</tr>
<tr>
<td>6.20(2)</td>
<td>Failure to leave outdoor eating facility when requested to do so by permit holder</td>
<td>60</td>
</tr>
<tr>
<td>7.5</td>
<td>Failure to comply with a condition of a permit</td>
<td>125</td>
</tr>
<tr>
<td>7.9</td>
<td>Failure to produce permit on request of authorised person</td>
<td>125</td>
</tr>
<tr>
<td>10.1</td>
<td>Failure to comply with notice given under local law</td>
<td>125</td>
</tr>
</tbody>
</table>

Dated this 20th day of November 2018.
The Common Seal of the Shire of Gingin was affixed by authority of a resolution of the Council in the presence of—

I. B. COLLARD, Shire President.
A. COOK, Chief Executive Officer.
LOCAL GOVERNMENT ACT 1995
Shire of Gingin

LOCAL GOVERNMENT PROPERTY AMENDMENT LOCAL LAW 2018

Under the powers conferred on it by the Local Government Act 1995 and all other relevant powers enabling it, the Council of the Shire of Gingin resolved on 20 November 2018 to make this local law.

1. Title
This local law may be cited as the Shire of Gingin Local Government Property Amendment Local Law 2018.

2. Commencement
This local law commences 14 days after the day on which it is published in the Government Gazette.

3. Principal Local Law

4. Clause 1.2 amended
In Clause 1.2—
(a) In the definition for “Authorized Person” delete “authorized” and insert “authorised” wherever it appears in the definition.
(b) Insert new definitions in alphabetical order as follows—
   “Code” means the Code of Practice for the Design, Operation, Management and Maintenance of Aquatic Facilities as published by the Chief Health Officer, pursuant to the provisions of section 344A(2) of the Health (Miscellaneous Provisions) Act 1911;
   “Health Act” means the Health (Miscellaneous Provisions) Act 1911;
   “local public notice” has the same meaning as in section 1.7 of the Act;
   “nuisance” means—
   (a) any thing, condition, circumstance or state of affairs which is injurious or dangerous to the health of a reasonable person, or which has a disturbing effect on the state of reasonable physical, mental or social wellbeing of a person;
   (b) anything a person does or permits or causes to be done which interferes with or is likely to interfere with the enjoyment or safe use by another person of any public place; and
   (c) anything a person does on public or private land which detracts from or interferes with the enjoyment or value of lands owned by another person; and
   “waste” includes matter—
   (a) whether liquid, solid, gaseous or radioactive and whether useful or useless, which is discharged into the environment; or
   (b) prescribed by regulations under the Waste Avoidance and Resource Recovery Act 2007 to be waste;
(c) Amend the definition for “liquor” by deleting “Licensing” and substituting “Control”; and
(d) Amend the definition for “trading” in paragraph (d) by deleting “and”.

5. Clause 2.8 amended
In Clause 2.8—
(a) After the clause title insert clause 2.8(1A) as follows—
   (1A) In this clause—
   “premises” means a building, stadium or similar structure which is local government property, but not an open space such as a park or a playing field.
(b) Delete clause 2.8(3);
(c) In clause 2.8(2)(g), delete “and”;
(d) In clause 2.8(2)(h), delete the full stop and insert “; and”; and
(e) After clause 2.8(2)(h) insert the following—
   (i) bring, ride or drive an animal.

6. Clause 3.2 amended
In clause 3.2(5) insert “or where the requirements of subclauses (3) or (4) have not been satisfied” at the end of the clause.

7. Clause 3.4 amended
In clause 3.4—
(a) In clause 3.4(2), insert “the generality of” between “limiting” and “clause”; and
(b) In clause 3.4(2)(h), delete “Licensing” and insert “Control”.

8. Clause 3.9 amended
In clause 3.9(2) delete “mutatis mutandis” and insert “with appropriate modification”.

9. Clause 3.11 amended
In clause 3.11 delete “authorized” and insert “authorised” wherever it appears in the clause.

10. Clause 3.13 amended
In clause 3.13—
(a) In clause 3.13(1)(o), delete “or” at the end of the clause;
(b) In clause 3.13(1)(p), delete the full stop and insert a semi colon; and
(c) After clause 3.13(1)(p) insert the following—
   (q) deposit or store anything on local government property; or
   (r) erect, install, operate or use any broadcasting, public address system, loudspeaker or other device for the amplification of sound on local government property.

11. Clause 3.15 amended
In clause 3.15(1)(a) delete “Licensing” and insert “Control”.

12. Clause 3.16 amended
In clause 3.16—
(a) In clause 3.16(a), delete “authorized” and insert “authorised”; and
(b) In clause 3.16(d), delete “Licensing” and insert “Control”.

13. Clause 4.1 amended
In clause 4.1—
(a) In clause 4.1(a), delete “or”.
(b) In clause 4.1(b), delete the full stop and insert “; or”.
(c) After clause 4.1(b) insert the following—
   (c) creating a nuisance.

14. Clause 4.2 amended
In clause 4.2—
(a) Renumber clause 4.2(1) and 4.2(2) as 4.2(2) and 4.2(1), respectively; and
(b) In subclause 4.2(1), delete “subclause (1)” and insert “this clause”.

15. Clause 4.3 amended
In clause 4.3—
(a) Renumber clause 4.3(1) and 4.3(2) as 4.3(2) and 4.3(1), respectively; and
(b) In subclause 4.3(2), delete “authorized” and substitute “authorised”.

16. Clause 5.1 amended
In clause 5.1—
(a) After the clause title, redesignate the remaining clause text as subclause (1);
(b) In clause 5.1(1)—
   (i) Delete “authorized” and insert “authorised”; and
   (ii) Delete “. may direct to leave or shall remove or cause to be removed from”;
(c) In clause 5.1(1)(a)(i)—
   (i) delete “under the age of 6 years” and substitute “minimum age as specified in the Code”; and
   (ii) delete “of 14 years” and substitute “as specified in the Code”;
(d) After clause 5.1(1)(a)(i) insert the following—
   (iia) under the minimum age as specified in the Code and who is accompanied by a responsible person over the age as specified in the Code where the responsible person is incapable of, or not providing, adequate supervision of, or care, for that person:
and

(e) After clause 5.1(1) insert the following—

(2) If a person referred to in subclause 5.1(1)(a) or subclause 5.1(1)(b) is in a pool area, a Manager or an authorised person must—

(a) direct the person to leave; and

(b) if the person refuses or fails to leave, remove the person or arrange for the person to be removed, from the pool area.

17. Clause 5.3 amended
In clause 5.3(2) delete “authorized” and insert “authorised”.

18. Clause 5.4 amended
In clause 5.4—

(a) In clause 5.4(2), delete “authorized” and insert “authorised”; and

(b) In clause 5.4(4), delete “authorized” and insert “authorised”.

19. Clause 5.5 amended
In clause 5.5—

(a) In clause 5.5(b), delete “and”;

(b) In clause 5.5(c), delete the comma and insert “; and”; and

(c) After clause 5.5(c) insert the following—

(d) not interfere with, obscure, obstruct or hang any item of clothing or towel on a flag, sign, notice or item of life saving equipment,

20. Clause 5.6 amended
In clause 5.6 delete “authorized” and insert “authorised”.

21. Clause 5.7 amended
In clause 5.7—

(a) Renumber clause 5.7 as clause 5.7(1);

(b) In clause 5.7(1)(a), delete “or”;

(c) In clause 5.7(1)(b), delete the full stop and substitute “; or”;

(d) After clause 5.7(1)(b) insert the following—

(c) families, then, when the toilet block or change room is being used by a family, only an immediate member of that family may use that entry of the toilet block or change room.

and

(e) After clause 5.7(1) insert the following—

(2) Clause 5.7.1(a) and clause 5.7.1(b) do not apply to a child when accompanied by a parent, guardian or caregiver, where the child is—

(a) under the age of eight years; or

(b) otherwise permitted by an authorised person to use the relevant entry.

22. Clause 5.8 amended
In clause 5.8(1)(d) delete “authorized” and insert “authorised”.

23. Clause 6.1 amended
In clause 6.1 delete “authorized” and insert “authorised” wherever it appears throughout the clause.

24. Clause 7.5 amended
In clause 7.5(d) insert “the” between “paid” and “fee”.

25. Clause 7.6 amended
In clause 7.6 delete “authorized” and insert “authorised” wherever it appears throughout the clause.

26. Clause 7.11 amended
In clause 7.11 delete “authorized” and insert “authorised” wherever it appears throughout the clause.

27. Clause 8.1 amended
In clause 8.1—

(a) Delete the clause title and substitute “Objections and Appeals”.

(b) In the final sentence of the clause—

(i) delete “regulations” and substitute “regulation”; and
28. Clause 9.1 amended
In clause 9.1 delete “authorized” and insert “authorised” wherever it appears throughout the clause.

29. Clause 9.2 amended
In clause 9.2—
(a) Delete “authorized” and substitute “authorised”; and
(b) Insert “, or temporarily suspend a person from,” between “leave” and “local”.

30. Clause 9.4 amended
After the clause heading insert the following—
(1A) In this clause—
“costs” of the local government includes its administrative costs.

31. Clause 10.4 amended
In clause 10.4(3) delete “authorized” and insert “authorised”.

32. Schedule 1 amended
Delete Schedule 1 and insert the following—

Schedule 1
PRESCRIBED OFFENCES

<table>
<thead>
<tr>
<th>Clause</th>
<th>Description</th>
<th>Modified Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.4</td>
<td>Failure to comply with determination</td>
<td>125</td>
</tr>
<tr>
<td>3.6</td>
<td>Failure to comply with conditions of permit</td>
<td>125</td>
</tr>
<tr>
<td>3.13(1)</td>
<td>Failure to obtain a permit</td>
<td>125</td>
</tr>
<tr>
<td>3.14(3)</td>
<td>Failure to obtain permit to camp outside a facility</td>
<td>125</td>
</tr>
<tr>
<td>3.15(1)</td>
<td>Failure to obtain permit for liquor</td>
<td>125</td>
</tr>
<tr>
<td>3.16</td>
<td>Failure of permit holder to comply with responsibilities</td>
<td>125</td>
</tr>
<tr>
<td>4.2(1)</td>
<td>Behaviour detrimental to property</td>
<td>125</td>
</tr>
<tr>
<td>4.4</td>
<td>Under influence of liquor or prohibited drug</td>
<td>125</td>
</tr>
<tr>
<td>4.6(2)</td>
<td>Failure to comply with sign on local government property</td>
<td>125</td>
</tr>
<tr>
<td>5.2</td>
<td>Consuming food or drink in prohibited area</td>
<td>125</td>
</tr>
<tr>
<td>5.5</td>
<td>Failure to comply with sign or direction on beach</td>
<td>125</td>
</tr>
<tr>
<td>5.6</td>
<td>Unauthorised entry to fenced or closed local government property</td>
<td>125</td>
</tr>
<tr>
<td>5.7</td>
<td>Gender not specified using entry of toilet block or change room</td>
<td>125</td>
</tr>
<tr>
<td>5.8(1)</td>
<td>Unauthorised presence of animal on aerodrome</td>
<td>350</td>
</tr>
<tr>
<td>5.8(2)</td>
<td>Animal wandering at large on aerodrome—person in charge</td>
<td>350</td>
</tr>
<tr>
<td>5.8(3)</td>
<td>Animal wandering at large on aerodrome—owner</td>
<td>350</td>
</tr>
<tr>
<td>6.1(1)</td>
<td>Unauthorised entry to function on local government property</td>
<td>125</td>
</tr>
<tr>
<td>7.3</td>
<td>Unauthorised use of any part of jetty which is closed or under repair or construction</td>
<td>125</td>
</tr>
<tr>
<td>7.4</td>
<td>Mooring of boats in unauthorised manner</td>
<td>125</td>
</tr>
<tr>
<td>7.5</td>
<td>Unauthorised mooring of a boat to jetty</td>
<td>125</td>
</tr>
<tr>
<td>7.6</td>
<td>Failure to remove moored boat on direction of authorised person</td>
<td>125</td>
</tr>
<tr>
<td>7.7</td>
<td>Launching of boat from jetty without consent</td>
<td>125</td>
</tr>
<tr>
<td>7.8</td>
<td>Mooring when not ready to load or discharge cargo, at times not permitted or for longer than permitted</td>
<td>125</td>
</tr>
<tr>
<td>7.9</td>
<td>Unlawful storing of goods on jetty</td>
<td>125</td>
</tr>
<tr>
<td>7.10</td>
<td>Removing goods from jetty during other than permitted hours</td>
<td>125</td>
</tr>
<tr>
<td>7.11</td>
<td>Failure to remove cargo on jetty on direction of authorised person</td>
<td>125</td>
</tr>
<tr>
<td>7.12</td>
<td>Unauthorised deposit of bulk cargo on jetty</td>
<td>125</td>
</tr>
<tr>
<td>Clause</td>
<td>Description</td>
<td>Modified Penalty</td>
</tr>
<tr>
<td>--------</td>
<td>-------------------------------------------------------</td>
<td>------------------</td>
</tr>
<tr>
<td>7.14</td>
<td>Fishing from jetty or bridge so as to obstruct a boat or another person</td>
<td>125</td>
</tr>
<tr>
<td>10.1</td>
<td>Failure to comply with notice</td>
<td>250</td>
</tr>
</tbody>
</table>

Dated this 20th day of November 2018.
The Common Seal of the Shire of Gingin was affixed by authority of a resolution of the Council in the presence of—

I. B. COLLARD, Shire President.

A. COOK, Chief Executive Officer.
LOCAL GOVERNMENT ACT 1995
Shire of Gingin

PARKING AND PARKING FACILITIES AMENDMENT LOCAL LAW 2018

Under the powers conferred on it by the Local Government Act 1995 and all other relevant powers, the Council of the Shire of Gingin resolved on 20 November 2018 to make this local law.

1. Title
This local law may be cited as the Shire of Gingin Parking and Parking Facilities Amendment Local Law 2018.

2. Commencement
This local law commences 14 days after the day on which it is published in the Government Gazette.

3. Principal Local Law

4. Enacting clause amended
The enacting clause is amended by deleting “Local Law” and substituting “local law”.

5. Clause 1.3 amended
In clause 1.3—
   (a) Delete the definition for ‘ACROD sticker’;
   (b) In the definition for ‘authorised person’ delete “Local Law” and insert “local law”;
   (c) Delete the definition for ‘carriageway’ and insert—
      ‘carriageway’ has the meaning given to it by the Code;
   (d) Delete the definition for ‘centre’ and insert—
      ‘centre’ has the meaning given to it by the Code;
   (e) In the definition for ‘commercial vehicle’—
      (i) Insert “, adapted or fitted” between “constructed” and “for”;
      (ii) Insert “, materials” between “goods” and “or”;
      (iii) Delete “or” following “merchandise,” and insert “and includes a vehicle which is used”;
      (iv) Delete the remainder of the definition following “passengers,” and insert “which is used for that purpose”;
   (f) Insert new definitions in alphabetical order as follows—
      ‘disability parking permit’ has the meaning given to it in the Local Government (Parking for People with Disabilities) Regulations 2014;
      ‘driveway’ means the portion of land which lies between the boundary of a carriageway and the boundary of the adjacent property that is constructed for the purpose of ingress and egress to and from the property;
      ‘kerb’ means any structure, mark, marking or device to delineate or indicate the edge of a carriageway;
      ‘length of carriageway’ means the same side of the road between intersections on that side of the road;
      ‘loading zone sign’ means a sign with the words ‘loading zone’ in white letters on a red background and may have an arrow pointing in a direction;
      ‘obstruction’ has the meaning given to it in the Code;
      ‘parking control sign’ has the meaning given to it by the Code;
      ‘unattended’ means the driver has left the vehicle so that the driver is more than three metres from the closest point of the vehicle.
   (g) Delete the definition for ‘edge line’ and insert—
      ‘edge line’ has the meaning given to it by the Code;
   (h) Delete the definition for ‘Loading Zone’ and insert—
      ‘Loading Zone’ has the meaning given to it by the Code;
   (i) Delete the definition for ‘owner’ and insert—
      ‘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 Road Traffic 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:

(j) Delete the definition for ‘park’ and insert—
‘park’ has the meaning given to it by the Code;

(k) In the definition for ‘parking station’, delete the remainder of the definition following “vehicles”.

(l) In the definition for ‘schedule’, delete “Local Law” and insert “local law”.

(m) Delete the definition for ‘stop’ and insert—
‘stop’ has the meaning given to it by the Code;

(n) In the definition for ‘symbol’, delete “Local Law” and insert “local law”.

(o) Delete the definition for ‘taxi’ and insert—
‘taxi’ has the meaning given to it by the Code;

(p) Delete the definition for ‘trailer’ and insert—
‘trailer’ has the meaning given to it by the Code;

(q) In the definition for ‘vehicle’, insert “and” at the end of the definition.

6. Clause 1.4 amended
In clause 1.4(2) delete “Local Law” and insert “local law”.

7. Clause 1.5 amended
In clause 1.5 delete “Local Law” wherever it appears in the clause and insert “local law”.

8. Clause 1.6 amended
In clause 1.6 delete “Local Law” and insert “local law”.

9. Clause 1.7 amended
In clause 1.7 delete “Local Law” and insert “local law”.

10. Clause 1.8 amended
In clause 1.8 delete “Local Law” and insert “local law”.

11. Clause 2.10 amended
In clause 2.10 delete “Local Law” and insert “local law”.

12. Clause 3.1 amended
In clause 3.1—
(a) After the clause title, redesignate the remaining text as clause 3.1(1).
(b) After clause 3.1(1) insert the following—
(2) Where the local government makes a determination under subclause 3.1(1) it shall erect signs to give effect to the determination.

13. Clause 3.8 amended
In clause 3.8(3) delete “an ACROD sticker” wherever it appears and insert “a disability parking permit”.

14. Clause 4.1 amended
In clause 4.1—
(a) In subclause 4.1(2)(a) delete “an ACROD sticker” wherever it appears in the subclause and insert “a disability parking permit”.
(b) In subclause 4.1(3)(b) delete “Local Law” and substitute “local law”.

15. Clause 4.2 amended
In clause 4.2(1)(d) delete “Local Law” and insert “local law”.

16. Clause 4.6 amended
In clause 4.6 delete “Local Law” and insert “local law”.

17. Clause 4.8 amended
In clause 4.8(2) delete “two” and insert “2”.

18. Clause 5.1 amended
In clause 5.1(2)—
(a) Delete “is” at the end of the first part of the clause;
(b) Insert “is” at the beginning of clause 5.1(2)(a).
19. Clause 7.1 amended
In clause 7.1 delete “these local laws” wherever it appears in the clause and insert “this local law”.

20. Clause 7.2 amended
In clause 7.2(20)(b) delete “these Local Laws” and insert “this local law”.

21. Clause 7.4 amended
In clause 7.4(1)(b) delete “these local laws” and insert “this local law”.

22. Clause 7.5 amended
In clause 7.5(2) delete “these Local Laws” and insert “this local law”.

23. Clause 7.7 amended
In clause 7.7—
(a) In clause 7.7(1), delete “10m” and insert “10 metres”.
(b) In clause 7.7(1)(b), delete “these Local Laws” and insert “this local law”.

24. Clause 7.8 amended
In clause 7.8 delete “these Local Laws” and insert “this local law”.

25. Clause 7.10 amended
In clause 7.10 delete “these Local Laws” wherever it appears in the clause and insert “this local law”.

26. Clause 7.11 amended
In clause 7.11(b) delete “these Local Laws” and insert “this local law”.

27. Clause 7.12 amended
In clause 7.12(a) delete “one” and insert “1”.

28. Clause 7.15 deleted
Delete clause 7.15.

29. Clause 9.2 amended
In clause 9.2 delete “Local Law” wherever it appears in the clause and insert “local law”.

30. Clause 9.3 amended
In clause 9.3 delete “Local Law” and insert “local law”.

31. Clause 9.4 amended
In clause 9.4(1) delete “Local Law” and insert “local law”.

32. Clause 9.5 amended
In clause 9.5 delete “Local Law” and insert “local law”.

33. Clause 10.1 amended
In clause 10.1 delete “Local Law” wherever it appears in the clause and insert “local law”.

34. Clause 10.2 amended
Delete clause 10.2 and insert the following—

10.2 Form of notices

For the purposes of this local law—

(a) the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 1 of the Local Government (Functions and General) Regulations 1996.

(b) the form of the infringement notice referred to in section 9.17 of the Act is that of Form 2 in Schedule 1 of the Local Government (Functions and General) Regulations 1996 and

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

35. Schedule 2 amended
Delete Schedule 2 insert the following—

Schedule 2
Parking and Parking Facilities Local Law 2004
PRESCRIBED OFFENCES
<table>
<thead>
<tr>
<th>Item No.</th>
<th>Clause No.</th>
<th>Nature of Offence</th>
<th>Modified Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2.2</td>
<td>Failure to pay fee for metered space</td>
<td>$100</td>
</tr>
<tr>
<td>2</td>
<td>2.3</td>
<td>Parking in excess of period shown on metered space</td>
<td>$75</td>
</tr>
<tr>
<td>3</td>
<td>2.4</td>
<td>Parking when meter has expired</td>
<td>$100</td>
</tr>
<tr>
<td>4</td>
<td>2.6(1)</td>
<td>Failure to park wholly within metered space</td>
<td>$75</td>
</tr>
<tr>
<td>5</td>
<td>2.6(3)</td>
<td>Parking outside metered zone</td>
<td>$75</td>
</tr>
<tr>
<td>6</td>
<td>2.7</td>
<td>Non-permitted insertion in parking meter</td>
<td>$100</td>
</tr>
<tr>
<td>7</td>
<td>2.8</td>
<td>Failure to display ticket clearly in metered zone</td>
<td>$100</td>
</tr>
<tr>
<td>8</td>
<td>2.9</td>
<td>Parking or attempting to park a vehicle in a metered space occupied by another vehicle</td>
<td>$75</td>
</tr>
<tr>
<td>9</td>
<td>2.10</td>
<td>Parking contrary to a meter hood</td>
<td>$100</td>
</tr>
<tr>
<td>10</td>
<td>3.2</td>
<td>Failure to park wholly within parking stall</td>
<td>$75</td>
</tr>
<tr>
<td>11</td>
<td>3.2(4)</td>
<td>Failure to park wholly within parking area</td>
<td>$75</td>
</tr>
<tr>
<td>12</td>
<td>3.3</td>
<td>Failure to pay parking station fee</td>
<td>$100</td>
</tr>
<tr>
<td>13</td>
<td>3.5</td>
<td>Leaving without paying parking station fee</td>
<td>$100</td>
</tr>
<tr>
<td>14</td>
<td>3.7</td>
<td>Failure to display ticket clearly in parking station</td>
<td>$100</td>
</tr>
<tr>
<td>15</td>
<td>3.8(1)(a)</td>
<td>Causing obstruction in parking station</td>
<td>$100</td>
</tr>
<tr>
<td>16</td>
<td>3.8(1)(b)</td>
<td>Parking contrary to sign in parking station</td>
<td>$100</td>
</tr>
<tr>
<td>17</td>
<td>3.8(1)(c)</td>
<td>Parking contrary to directions of Authorised Person</td>
<td>$100</td>
</tr>
<tr>
<td>18</td>
<td>3.8(1)(d)</td>
<td>Parking or attempting to park a vehicle in a parking stall occupied by another vehicle</td>
<td>$75</td>
</tr>
<tr>
<td>19</td>
<td>4.1(1)(a)</td>
<td>Parking wrong class of vehicle</td>
<td>$75</td>
</tr>
<tr>
<td>20</td>
<td>4.1(1)(b)</td>
<td>Parking by persons of a different class</td>
<td>$75</td>
</tr>
<tr>
<td>21</td>
<td>4.1(1)(c)</td>
<td>Parking during prohibited period</td>
<td>$75</td>
</tr>
<tr>
<td>22</td>
<td>4.1(3)(a)</td>
<td>Parking in no parking area</td>
<td>$100</td>
</tr>
<tr>
<td>23</td>
<td>4.1(3)(b)</td>
<td>Parking contrary to signs or limitations</td>
<td>$75</td>
</tr>
<tr>
<td>24</td>
<td>4.1(3)(c)</td>
<td>Parking vehicle in motor cycle only area</td>
<td>$75</td>
</tr>
<tr>
<td>25</td>
<td>4.1(4)</td>
<td>Parking motor cycle in stall not marked “M/C”</td>
<td>$75</td>
</tr>
<tr>
<td>26</td>
<td>4.1(5)</td>
<td>Parking without permission in an area designated for “Authorised Vehicles Only”</td>
<td>$90</td>
</tr>
<tr>
<td>27</td>
<td>4.2(1)(a)</td>
<td>Failure to park on the left of two-way carriageway</td>
<td>$75</td>
</tr>
<tr>
<td>28</td>
<td>4.2(1)(b)</td>
<td>Failure to park on boundary of one-way carriageway</td>
<td>$75</td>
</tr>
<tr>
<td>29</td>
<td>4.2(1)(a)</td>
<td>Parking against the flow of traffic</td>
<td>$90</td>
</tr>
<tr>
<td>30</td>
<td>4.2(1)(b)</td>
<td>or 4.2(1)(a)</td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>4.2(1)(c)</td>
<td>Parking when distance from farther boundary less than 3 metres</td>
<td>$90</td>
</tr>
<tr>
<td>32</td>
<td>4.2(1)(d)</td>
<td>Parking closer than 1 metre from another vehicle</td>
<td>$75</td>
</tr>
<tr>
<td>33</td>
<td>4.2(1)(e)</td>
<td>Causing obstruction</td>
<td>$100</td>
</tr>
<tr>
<td>34</td>
<td>4.3(b)</td>
<td>Failure to park at approximate right angle</td>
<td>$75</td>
</tr>
<tr>
<td>35</td>
<td>4.4(2)</td>
<td>Failure to park at an appropriate angle</td>
<td>$75</td>
</tr>
<tr>
<td>36</td>
<td>4.5(2)(a)</td>
<td>Double parking</td>
<td>$90</td>
</tr>
<tr>
<td>37</td>
<td>4.5(2)(b)</td>
<td>Parking on or adjacent to a median strip</td>
<td>$75</td>
</tr>
<tr>
<td>38</td>
<td>4.5(2)(c)</td>
<td>Denying access to private drive or right of way</td>
<td>$100</td>
</tr>
<tr>
<td>39</td>
<td>4.5(2)(d)</td>
<td>Parking beside excavation or obstruction so as to obstruct traffic</td>
<td>$100</td>
</tr>
<tr>
<td>40</td>
<td>4.5(2)(e)</td>
<td>Parking within 10 metres of traffic island</td>
<td>$90</td>
</tr>
<tr>
<td>41</td>
<td>4.5(2)(f)</td>
<td>Parking on footpath/pedestrian crossing</td>
<td>$100</td>
</tr>
<tr>
<td>42</td>
<td>4.5(2)(g)</td>
<td>Parking contrary to continuous line markings</td>
<td>$90</td>
</tr>
<tr>
<td></td>
<td>4.5(2)(h)</td>
<td>Parking on intersection</td>
<td>$90</td>
</tr>
<tr>
<td>Item No.</td>
<td>Clause No.</td>
<td>Nature of Offence</td>
<td>Modified Penalty</td>
</tr>
<tr>
<td>---------</td>
<td>------------</td>
<td>----------------------------------------------------------------------------------</td>
<td>------------------</td>
</tr>
<tr>
<td>43</td>
<td>4.5(2)(i)</td>
<td>Parking within 1 metre of fire hydrant or fire plug</td>
<td>100</td>
</tr>
<tr>
<td>44</td>
<td>4.5(2)(j)</td>
<td>Parking within 3 metres of public letter box</td>
<td>75</td>
</tr>
<tr>
<td>45</td>
<td>4.5(2)(k)</td>
<td>Parking within 10 metres of intersection</td>
<td>90</td>
</tr>
<tr>
<td>46</td>
<td>4.5(3)(a)</td>
<td>Parking vehicle within 10 metres of departure side of bus stop, children’s crossing or pedestrian crossing</td>
<td>100</td>
</tr>
<tr>
<td>47</td>
<td>4.5(4)(a)</td>
<td>Parking vehicle within 20 metres of approach side of bus stop, children’s crossing or pedestrian crossing</td>
<td>100</td>
</tr>
<tr>
<td>48</td>
<td>4.5(5)</td>
<td>Parking vehicle within 20 metres of approach side or departure side of railway level crossing</td>
<td>100</td>
</tr>
<tr>
<td>49</td>
<td>4.6</td>
<td>Parking contrary to direction of Authorised Person</td>
<td>100</td>
</tr>
<tr>
<td>50</td>
<td>4.7(2)</td>
<td>Removing mark of Authorised Person</td>
<td>100</td>
</tr>
<tr>
<td>51</td>
<td>4.8</td>
<td>Moving vehicle to avoid time limitation</td>
<td>75</td>
</tr>
<tr>
<td>52</td>
<td>4.9(a)</td>
<td>Parking in thoroughfare for purpose of sale</td>
<td>100</td>
</tr>
<tr>
<td>53</td>
<td>4.9(b)</td>
<td>Parking unlicensed vehicle in thoroughfare</td>
<td>100</td>
</tr>
<tr>
<td>54</td>
<td>4.9(c)</td>
<td>Parking a trailer/caravan on a thoroughfare</td>
<td>75</td>
</tr>
<tr>
<td>55</td>
<td>4.9(d)</td>
<td>Parking in thoroughfare for purpose of repairs</td>
<td>75</td>
</tr>
<tr>
<td>56</td>
<td>4.10(1)</td>
<td>Parking on land that is not a parking facility without consent</td>
<td>100</td>
</tr>
<tr>
<td>57</td>
<td>4.10(3)</td>
<td>Parking on land not in accordance with consent</td>
<td>75</td>
</tr>
<tr>
<td>58</td>
<td>4.11</td>
<td>Driving or parking on reserve</td>
<td>75</td>
</tr>
<tr>
<td>59</td>
<td>5.1(1)</td>
<td>Stopping contrary to a “no stopping” sign</td>
<td>75</td>
</tr>
<tr>
<td>60</td>
<td>5.1(2)</td>
<td>Parking contrary to a “no parking” sign</td>
<td>75</td>
</tr>
<tr>
<td>61</td>
<td>5.1(3)</td>
<td>Stopping within continuous yellow lines</td>
<td>75</td>
</tr>
<tr>
<td>62</td>
<td>6.1</td>
<td>Stopping unlawfully in a loading zone</td>
<td>75</td>
</tr>
<tr>
<td>63</td>
<td>6.2</td>
<td>Stopping unlawfully in a taxi zone or bus zone</td>
<td>75</td>
</tr>
<tr>
<td>64</td>
<td>6.3</td>
<td>Stopping unlawfully in a mail zone</td>
<td>75</td>
</tr>
<tr>
<td>65</td>
<td>6.4</td>
<td>Stopping in a zone contrary to a sign</td>
<td>75</td>
</tr>
<tr>
<td>66</td>
<td>7.1</td>
<td>Stopping in a shared zone</td>
<td>75</td>
</tr>
<tr>
<td>67</td>
<td>7.3</td>
<td>Stopping near an obstruction</td>
<td>90</td>
</tr>
<tr>
<td>68</td>
<td>7.4</td>
<td>Stopping on a bridge or tunnel</td>
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36. Schedule 3 deleted
Delete Schedule 3.

Dated this 20th day of November 2018.
The Common Seal of the Shire of Gingin was affixed by authority of a resolution of the Council in the presence of—
I. B. COLLARD, Shire President.
A. COOK, Chief Executive Officer.
Under the powers conferred by the Local Government Act 1995 and under all other powers enabling it, the Council of the Shire of Gingin resolved on 20 November 2018 to make the following local law.

1. Citation
This local law may be cited as the Shire of Gingin Repeal Local Law 2018.

2. Commencement
This local law comes into operation 14 days after the day on which it is published in the Government Gazette.

3. Repeal
The following by-laws are hereby repealed—

   (a) The By-laws of the Gingin Road Board published in the Government Gazette on 7 November 1913.

   (b) The Gingin Road Board By-law for Regulating the Hawking of Fruit, Fish, Meat, Poultry, Game, or Vegetables, or any Article of Merchandise and Requiring Licenses to be Obtained by Hawkers and Enforcing the Obligation of Hawkers and Traders to Carry Scales published in the Government Gazette on 13 February 1914.

   (c) The Gingin Road Board By-laws—Schedules published in the Government Gazette on 6 March 1914.


   (f) The Gingin Road Board By-law Prohibiting Dogs Being Allowed Within the Inner Enclosure on Reserve No. 10216, at the Mouth of the Moore River published in the Government Gazette on 6 February 1931.

   (g) The Gingin Road Board By-law No. 114 in Relation to Occupying, or Pasturing Stock on, Land Under the Control of the Road Board published in the Government Gazette on 24 April 1931.

   (h) The Gingin Road Board By-law No. 117—To Provide Restrictions as to Hawkers published in the Government Gazette on 23 December 1932.

   (i) The Gingin Road Board By-law No. 118 Prohibiting Interference with the Sand Bar at the Mouth of the Moore River published in the Government Gazette on 24 July 1936.


   (k) The Gingin Road Board By-law for Regulating the Board’s Water Supplies published in the Government Gazette on 23 May 1941.


   (m) The Gingin Road Board By-law No. 124—Fee to Enter Picnic Reserves Controlled by the Road Board published in the Government Gazette on 14 November 1947.

   (n) The Gingin Road Board By-laws for Control of Gingin Road Board Agricultural Hall published in the Government Gazette on 11 April 1956.

   (o) The amendments to the Gingin Road Board By-laws for Control of Gingin Agricultural Hall published in the Government Gazette on 20 December 1957.


(u) The *Shire of Gingin Adoption of Draft Model By-laws (Holiday Cabins and Chalets) No. 18* published in the *Government Gazette* on 24 March 1969.

(v) The Erratum to the *Shire of Gingin Adoption of Draft Model By-laws (Holiday Cabins and Chalets) No. 18* published in the *Government Gazette* on 23 April 1969.

(w) The *Adoption of Draft Model By-laws Relating to Caravan Parks and Camping Grounds No. 2* published in the *Government Gazette* on 1 December 1970.


Dated this 20th day of November 2018.

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

I. B. COLLARD, Shire President.

A. COOK, Chief Executive Officer.
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Under the powers conferred by the _Local Government Act 1995_ and under all other powers enabling it, the Council of the Shire of Dowerin resolved on 21 August 2018 to make the following local law.

**PART 1—PRELIMINARY**

**Citation**

1.1 This local law may be cited as the _Shire of Dowerin Local Government Property Local Law 2018_.

**Definitions**

1.2 In this local law unless the context otherwise requires—

- “Act” means the _Local Government Act 1995_.
- “aircraft” has the meaning given to it in the _Civil Aviation Act 1988_ (Cth);
- “applicant” means a person who applies for a permit under clause 3.2;
- “authorised person” means a person authorised by the local government under section 9.10 of the Act to perform any of the functions of an authorised person under this local law;
- “building” means any building which is local government property and includes a—
  - (a) hall or room;
  - (b) corridor, stairway or annexe of any hall or room; and
- “CEO” means the chief executive officer of the local government;
- “ commencement day” means the day on which this local law comes into operation;
- “Council” means the council of the local government;
- “date of publication” means, where local public notice is required to be given of a matter under this local law, the date on which notice of the matter is published in a newspaper circulating generally throughout the district;
- “determination” means a determination made under clause 2.1;
- “district” means the district of the local government;
- “function” means an event or activity characterised by all or any of the following—
  - (a) formal organisation and preparation;
  - (b) its occurrence is generally advertised or notified in writing to particular persons;
  - (c) organisation by or on behalf of a club;
  - (d) payment of a fee to attend it; and
  - (e) systematic recurrence in relation to the day, time and place;
- “liquor” has the same meaning as is given to it in section 3 of the _Liquor Control Act 1988_.
- “local government” means the Shire of Dowerin;
- “local government property” means anything except a thoroughfare—
  - (a) which belongs to the local government;
  - (b) of which the local government is the management body under the _Land Administration Act 1997_ or
  - (c) which is an ‘otherwise unvested facility’ within section 3.53 of the Act;
- “Manager” means the person for the time being employed by the local government to control and manage a pool area or other facility which is local government property and includes the person’s assistant or deputy;
- “permit” means a permit issued under this local law;
- “permit holder” means a person who holds a valid permit;
- “person” does not include the local government;
“**pool area**” means any swimming and wading pools and spas and all buildings, structures, fittings, fixtures, machinery, chattels, furniture and equipment forming part of or used in connection with such swimming and wading pools and spas which are local government property;

“**Regulations**” means the *Local Government (Functions and General) Regulations 1996*;

“**sign**” includes a notice, flag, mark, structure or device approved by the local government on which may be shown words, numbers, expressions or symbols;

“**trading**” means the selling or hiring, or the offering for sale or hire of goods or services, and includes displaying goods for the purpose of—
(a) offering them for sale or hire;
(b) inviting offers for their sale or hire;
(c) soliciting orders for them; or
(d) carrying out any other transaction in relation to them; and

“**vehicle**” includes—
(a) every conveyance and every object capable of being propelled or drawn on wheels, tracks or otherwise: and
(b) an animal being ridden or driven, but excludes—
(c) a wheel-chair or any device designed for use, by a physically impaired person on a footpath: and
(d) a pram, a stroller or a similar device: and
(e) a boat.

**Interpretation**

1.3 In this local law unless the context otherwise requires a reference to local government property includes a reference to any part of that local government property.

**Application**

1.4 (1) This local law applies throughout the district.
(2) Notwithstanding anything to the contrary in this local law, the local government may—
(a) hire local government property to any person: or
(b) enter into an agreement with any person regarding the use of any local government property.

**Repeal**

1.5 (1) The following local laws are repealed—
Swimming Pool Local Law (Gazetted 19/02/1969)
Local Government Property Local Law (Gazetted 08/01/2002)
(2) Where a policy was made or adopted by the local government under or in relation to a local law repealed by this local law, then the policy is to be taken to no longer have any effect on and from the commencement day.
(3) The Council may resolve that notwithstanding subclause (2), specified policies continue, or are to be taken to have continued, to have effect on and from the commencement day.

**PART 2—DETERMINATIONS IN RESPECT OF LOCAL GOVERNMENT PROPERTY**

*Division 1—Determinations*

**Determinations as to use of local government property**

2.1 (1) The local government may make a determination in accordance with clause 2.2—
(a) setting aside specified local government property for the pursuit of all or any of the activities referred to in clause 2.7:
(b) prohibiting a person from pursuing all or any of the activities referred to in clause 2.8 on specified local government property:
(c) as to the matters in clauses 2.7(2) and 2.8(2); and
(d) as to any matter ancillary or necessary to give effect to a determination.
(2) The determinations in Schedule 2—
(a) are to be taken to have been made in accordance with clause 2.2:
(b) may be amended or revoked in accordance with clause 2.6: and
(c) have effect on the commencement day.

**Procedure for making a determination**

2.2 (1) The local government is to give local public notice of its intention to make a determination.
(2) The local public notice referred to in subclause (1) is to state that—
(a) the local government intends to make a determination, the purpose and effect of which is summarised in the notice:
(b) a copy of the proposed determination may be inspected and obtained from the offices of the local government; and

(c) submissions in writing about the proposed determination may be lodged with the local government within 21 days after the date of publication.

(3) If no submissions are received in accordance with subclause (2)(c), the Council is to decide to—

(a) give local public notice that the proposed determination has effect as a determination on and from the date of publication;

(b) amend the proposed determination, in which case subclause (5) will apply; or

(c) not continue with the proposed determination.

(4) If submissions are received in accordance with subclause (2)(c) the Council is to—

(a) consider those submissions; and

(b) decide—

(i) whether or not to amend the proposed determination; or

(ii) not to continue with the proposed determination.

(5) If the Council decides to amend the proposed determination, it is to give local public notice—

(a) of the effect of the amendments; and

(b) that the proposed determination has effect as a determination on and from the date of publication.

(6) If the Council decides not to amend the proposed determination, it is to give local public notice that the proposed determination has effect as a determination on and from the date of publication.

(7) A proposed determination is to have effect as a determination on and from the date of publication of the local public notice referred to in subclauses (3), (5) and (6).

(8) A decision under subclause (3) or (4) is not to be delegated by the Council.

Discretion to erect sign

2.3 The local government may erect a sign on local government property to give notice of the effect of a determination which applies to that property.

Determination to be complied with

2.4 A person shall comply with a determination.

Register of determinations

2.5 (1) The local government is to keep a register of determinations made under clause 2.1, and of any amendments to or revocations of determinations made under clause 2.6.

(2) Sections 5.94 and 5.95 of the Act are to apply to the register referred to in subclause (1) and for that purpose the register is to be taken to be information within section 5.94(u)(i) of the Act.

Amendment or revocation of a determination

2.6 (1) The Council may amend or revoke a determination.

(2) The provisions of clause 2.2 are to apply to an amendment of a determination as if the amendment were a proposed determination.

(3) If the Council revokes a determination it is to give local public notice of the revocation and the determination is to cease to have effect on the date of publication.

Division 2—Activities which may be pursued or prohibited under a determination

Activities which may be pursued on specified local government property

2.7 (1) A determination may provide that specified local government property is set aside as an area on which a person may—

(a) bring, ride or drive an animal;

(b) take, ride or drive a vehicle, or a particular class of vehicle;

(c) fly or use a motorised model aircraft;

(d) use a children’s playground provided that the person is under an age specified in the determination, but the determination is not to apply to a person having the charge of a person under the specified age;

(e) deposit refuse, rubbish or liquid waste, whether or not of particular classes, and whether or not in specified areas of that local government property;

(f) play or practice—

(i) golf or archery;

(ii) pistol or rifle shooting, but subject to the compliance of that person with the Firearms Act 1975 or

(iii) a similar activity, specified in the determination, involving the use of a projectile which, in the opinion of the local government may cause injury or damage to a person or property;

(g) ride a bicycle, a skateboard, rollerblades, a sandboard or a similar device; and

(h) wear no clothing.
(2) A determination may specify the extent to which and the manner in which an activity referred to in subclause (1) may be pursued and in particular—

(a) the days and times during which the activity may be pursued;
(b) that an activity may be pursued on a class of local government property, specified local government property or all local government property;
(c) that an activity is to be taken to be prohibited on all local government property other than that specified in the determination;
(d) may limit the activity to a class of vehicles, equipment or things, or may extend it to all vehicles, equipment or things;
(e) may specify that the activity can be pursued by a class of persons or all persons; and
(f) may distinguish between different classes of the activity.

Activities which may be prohibited on specified local government property

2.8 (1) A determination may provide that a person is prohibited from pursuing all or any of the following activities on specified local government property—

(a) smoking on premises;
(b) riding a bicycle, a skateboard, rollerblades, a sandboard or a similar device;
(c) taking, riding or driving a vehicle or a particular class of vehicle on the property;
(d) riding or driving a vehicle of a particular class or any vehicle above a specified speed;
(e) the playing or practice of—

(i) golf, archery, pistol shooting or rifle shooting; or
(ii) a similar activity, specified in the determination, involving the use of a projectile which, in the opinion of the local government may cause injury or damage to a person or property;
(f) the playing or practice of any ball game which may cause detriment to the property or any fauna on the property; and
(g) the traversing of or land which in the opinion of the local government has environmental value warranting such protection, either absolutely or except by paths provided for that purpose.

(2) A determination may specify the extent to which and the manner in which a person is prohibited from pursuing an activity referred to in subclause (1) and, in particular—

(a) the days and times during which the activity is prohibited;
(b) that an activity is prohibited on a class of local government property, specified local government property or all local government property;
(c) that an activity is prohibited in respect of a class of vehicles, equipment or things, or all vehicles, equipment or things;
(d) that an activity is prohibited in respect of a class of persons or all persons; and
(e) may distinguish between different classes of the activity.

(3) In this clause—

“premises” means a building, stadium or similar structure which is local government property, but not an open space such as a park or a playing field.

Division 3—Transitional

Signs taken to be determinations

2.9 (1) Where a sign erected on local government property has been erected under a local law of the local government repealed by this local law, then it is to be taken to be and have effect as a determination on and from the commencement day, except to the extent that the sign is inconsistent with any provision of this local law or any determination made under clause 2.1.

(2) Clause 2.5 does not apply to a sign referred to in subclause (1).

PART 3—PERMITS

Division 1—Preliminary

Application of Part

3.1 This Part does not apply to a person who uses or occupies local government property under a written agreement with the local government to do so.

Division 2—Applying for a permit

Application for permit

3.2 (1) Where a person is required to obtain a permit under this local law, that person shall apply for the permit in accordance with subclause (2).

(2) An application for a permit under this local law shall—

(a) be in the form determined by the local government;
(b) be signed by the applicant:
(c) provide the information required by the form; and
(d) be forwarded to the CEO together with any fee imposed and determined by the local
government under and in accordance with sections 6.16 to 6.19 of the Act.

(3) The local government may require an applicant to provide additional information reasonably
related to an application before determining an application for a permit.

(4) The local government may require an applicant to give local public notice of the application for a
permit.

(5) The local government may refuse to consider an application for a permit which is not in accordance
with subclause (2).

Decision on application for permit

3.3 (1) The local government may—
(a) approve an application for a permit unconditionally or subject to any conditions; or
(b) refuse to approve an application for a permit.

(2) If the local government approves an application for a permit, it is to issue to the applicant, a
permit in the form determined by the local government.

(3) If the local government refuses to approve an application for a permit, it is to give written notice of
that refusal to the applicant.

Division 3—Conditions

Conditions which may be imposed on a permit

3.4 (1) Without limiting the generality of clause 3.3(1)(a), the local government may approve an
application for a permit subject to conditions relating to—
(a) the payment of a fee;
(b) compliance with a standard or a policy of the local government adopted by the local
government;
(c) the duration and commencement of the permit;
(d) the commencement of the permit being contingent on the happening of an event;
(e) the rectification, remedying or restoration of a situation or circumstance reasonably related to
the application;
(f) the approval of another application for a permit which may be required by the local
government under any written law;
(g) the area of the district to which the permit applies;
(h) where a permit is issued for an activity which will or may cause damage to local government
property, the payment of a deposit or bond against such damage; and
(i) the obtaining of public risk insurance in an amount and on terms reasonably required by the
local government.

(2) Without limiting clause 3.3(1)(a) and subclause (1), the following paragraphs indicate the type and
content of the conditions on which a permit to hire local government property may be issued—
(a) when fees and charges are to be paid;
(b) payment of a bond against possible damage or cleaning expenses or both;
(c) restrictions on the erection of material or external decorations;
(d) rules about the use of furniture, plant and effects;
(e) limitations on the number of persons who may attend any function in or on local government
property;
(f) the duration of the hire;
(g) the right of the local government to cancel a booking during the course of an annual or
seasonal booking, if the local government sees fit;
(h) a prohibition on the sale, supply or consumption of liquor unless a liquor licence is first
obtained for that purpose under the Liquor Control Act 1988;
(i) whether or not the hire is for the exclusive use of the local government property;
(j) the obtaining of a policy of insurance in the names of both the local government and the hirer,
indemnifying the local government in respect of any injury to any person or any damage to
any property which may occur in connection with the hire of the local government property by
the hirer; and
(k) the provision of an indemnity from the hirer, indemnifying the local government in respect of
any injury to any person or any damage to any property which may occur in connection with
the hire of the local government property by the hirer.

Imposing conditions under a policy

3.5 (1) In this clause—
“policy” means a policy of the local government adopted by the Council containing conditions
subject to which an application for a permit may be approved under clause 3.3(1)(a).
(2) Under clause 3.3(1)(a) the local government may approve an application subject to conditions by reference to a policy.

(3) The local government shall give a copy of the policy, or the part of the policy which is relevant to the application for a permit, with the form of permit referred to in clause 3.3(2).

(4) An application for a permit shall be deemed not to have been approved subject to the conditions contained in a policy until the local government gives the permit holder a copy of the policy or the part of the policy which is relevant to the application.

(5) Sections 5.94 and 5.95 of the Act shall apply to a policy and for that purpose a policy shall be deemed to be information within section 5.94(u)(i) of the Act.

Compliance with and variation of conditions

3.6 (1) Where an application for a permit has been approved subject to conditions, the permit holder shall comply with each of those conditions.

(2) The local government may vary the conditions of a permit, and the permit holder shall comply with those conditions as varied.

Division 4—General

Agreement for building

3.7 Where a person applies for a permit to erect a building on local government property the local government may enter into an agreement with the permit holder in respect of the ownership of the materials in the building.

Duration of permit

3.8 A permit is valid for one year from the date on which it is issued, unless it is—

(a) otherwise stated in this local law or in the permit; or

(b) cancelled under clause 3.12.

Renewal of permit

3.9 (1) A permit holder may apply to the local government in writing prior to expiry of a permit for the renewal of the permit.

(2) The provisions of this Part shall apply to an application for the renewal of a permit as though it were an application for a permit.

Transfer of permit

3.10 (1) An application for the transfer of a valid permit is to—

(a) be made in writing;

(b) be signed by the permit holder and the proposed transferee of the permit;

(c) provide such information as the local government may require to enable the application to be determined; and

(d) be forwarded to the CEO together with any fee imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the Act.

(2) The local government may approve an application for the transfer of a permit, refuse to approve it or approve it subject to any conditions.

(3) Where the local government approves an application for the transfer of a permit, the transfer may be effected by an endorsement on the permit signed by the CEO.

(4) Where the local government approves the transfer of a permit, it is not required to refund any part of any fee paid by the former permit holder.

Production of permit

3.11 A permit holder is to produce to an authorised person her or his permit immediately upon being required to do so by that authorised person.

Cancellation of permit

3.12 (1) Subject to clause 9.1, a permit may be cancelled by the local government if the permit holder has not complied with a—

(a) condition of the permit; or

(b) determination or a provision of any written law which may relate to the activity regulated by the permit.

(2) On the cancellation of a permit the permit holder—

(a) shall return the permit as soon as practicable to the CEO; and

(b) is to be taken to have forfeited any fees paid in respect of the permit.

Division 5—When a permit is required

Activities needing a permit

3.13 (1) A person shall not without a permit—

(a) subject to subclause 3, hire local government property:
(b) advertise anything by any means on local government property;
(c) erect a structure for public amusement or for any performance, whether for gain or otherwise, on local government property;
(d) teach, coach or train, for profit, any person in a pool area or an indoor recreation facility which is local government property;
(e) plant any plant or sow any seeds on local government property;
(f) carry on any trading on local government property unless the trading is conducted—
   (i) with the consent of a person who holds a permit to conduct a function, and where the trading is carried on under and in accordance with the permit or
   (ii) by a person who has a licence or permit to carry on trading on local government property under any written law;
(g) unless an employee of the local government in the course of her or his duties or on an area set aside for that purpose—
   (i) drive or ride or take any vehicle on to local government property; or
   (ii) park or stop any vehicle on local government property;
(h) conduct a function on local government property;
(i) charge any person for entry to local government property, unless the charge is for entry to land or a building hired by a voluntary non-profit organisation;
(j) light a fire on local government property except in a facility provided for that purpose;
(k) parachute, hang glide, abseil or base jump from or on to local government property;
(l) erect a building or a refuelling site on local government property;
(m) make any excavation on or erect or remove any fence on local government property;
(n) erect or install any structure above or below ground, which is local government property, for the purpose of supplying any water, power, sewer, communication, television or similar service to a person;
(o) depasture any horse, sheep, cattle, goat, camel, ass or mule on local government property; or
(p) conduct or take part in any gambling game or contest or bet, or offer to bet, publicly.

(2) The local government may exempt a person from compliance with subclause (1) on the application of that person.
(3) The local government may exempt specified local government property or a class of local government property from the application of subclause (1)(a).

**Permit required to camp outside a facility**

3.14 (1) In this clause—
   “facility” has the same meaning as is given to it in section 5(1) of the Caravan Parks and Camping Grounds Act 1995.

(2) This clause does not apply to a facility operated by the local government.
(3) A person shall not without a permit—
   (a) camp on, lodge at or occupy any structure at night for the purpose of sleeping on local government property; or
   (b) erect any tent, camp, hut or similar structure on local government property other than a beach shade or windbreak erected for use during the hours of daylight and which is dismantled during those hours on the same day.

(4) The maximum period for which the local government may approve an application for a permit in respect of paragraph (a) or (b) of subclause (3) is that provided in regulation 11(2)(a) of the Caravan Parks and Camping Grounds Regulations 1997.

**Permit required for possession and consumption of liquor**

3.15 (1) A person, on local government property, shall not consume any liquor or have in her or his possession or under her or his control any liquor, unless—
   (a) that is permitted under the Liquor Control Act 1988; and
   (b) a permit has been obtained for that purpose.

(2) Subclause (1) does not apply where the liquor is in a sealed container.

**Division 6—Responsibilities of permit holder**

**Responsibilities of permit holder**

3.16 A holder of a permit shall in respect of local government property to which the permit relates—
   (a) ensure that an authorised person has unobstructed access to the local government property for the purpose of inspecting the property or enforcing any provision of this local law;
   (b) leave the local government property in a clean and tidy condition after its use;
   (c) report any damage or defacement of the local government property to the local government; and
   (d) prevent the consumption of any liquor on the local government property unless the permit allows it and a licence has been obtained under the Liquor Control Act 1988 for that purpose.
PART 4—BEHAVIOUR ON ALL LOCAL GOVERNMENT PROPERTY

Division 1—Behaviour on and interference with local government property

Behaviour which interferes with others
4.1 A person shall not in or on any local government property behave in a manner which—
(a) is likely to interfere with the enjoyment of a person who might use the property; or
(b) interferes with the enjoyment of a person using the property.

Behaviour detrimental to property
4.2 (1) A person shall not behave in or on local government property in a way which is or might be detrimental to the property.
(2) In subclause (1)—
‘detrimental to the property’ includes—
(a) removing any thing from the local government property such as a rock, a plant or a seat provided for the use of any person; and
(b) destroying, defacing or damaging any thing on the local government property, such as a plant, a seat provided for the use of any person or a building.

Taking or injuring any fauna
4.3 (1) A person shall not, take, injure or kill or attempt to take, injure or kill any fauna which is on or above any local government property, unless that person is authorised under a written law to do so.
(2) In this clause—
“animal” means any living thing that is not a human being or plant; and
“fauna” means any animal indigenous to or which periodically migrates to any State or Territory of the Commonwealth or the territorial waters of the Commonwealth and includes in relation to any such animal—
(a) any class of animal or individual member;
(b) the eggs or larvae; or
(c) the carcass, skin, plumage or fur.

Intoxicated persons not to enter local government property
4.4 A person shall not enter or remain on local government property while under the influence of liquor or a prohibited drug.

No prohibited drugs
4.5 A person shall not take a prohibited drug on to, or consume or use a prohibited drug on, local government property.

Signs
4.6 (1) A local government may erect a sign on local government property specifying any conditions of use which apply to that property.
(2) A person shall comply with a sign erected under subclause (1).
(3) A condition of use specified on a sign erected under subclause (1) is—
(a) not to be inconsistent with any provision of this local law or any determination; and
(b) to be for the purpose of giving notice of the effect of a provision of this local law.

PART 5—MATTERS RELATING TO PARTICULAR LOCAL GOVERNMENT PROPERTY

Division 1—Swimming pool areas

When entry must be refused
5.1 A Manager or an authorised person shall refuse admission to, may direct to leave or shall remove or cause to be removed from a pool area any person who—
(a) is—
(i) under the age of 10 years and who is unaccompanied by a responsible person over the age of 16 years:
(ii) suffering from any gastrointestinal disease, skin infection or other disease that is communicable in an aquatic environment; or
(iii) in an unclean condition; or
(iv) wearing unclean clothes; or
(v) under the apparent influence of alcohol, drugs or alcohol and drugs.
(b) is to be refused admission under and in accordance with a decision of the local government for breaching any clause of this local law.
Consumption of food or drink may be prohibited
5.2 A person shall not consume any food or drink in an area where consumption is prohibited by a sign.

Division 3—Fenced or closed property

No entry to fenced or closed local government property
5.3 A person must not enter local government property which has been fenced off or closed to the public by a sign or otherwise, unless that person is authorised to do so by the local government.

Division 4—Toilet blocks and change rooms

Only specified gender to use entry of toilet block or change room
5.4 (1) Where a sign on a toilet block or change room specifies that a particular entry of the toilet block or change room is to be used by—
   (a) females, then a person of the male gender shall not use that entry of the toilet block or change room; or
   (b) males, then a person of the female gender shall not use that entry of the toilet block or change room.
(2) Paragraphs (a) and (b) of subclause (1) do not apply to a child, when accompanied by a parent, guardian or caregiver, where the child is—
   (a) under the age of 8 years; or
   (b) otherwise permitted by an authorised person to use the relevant entry.

Division 5—Aerodrome (airport)

Access of animals restricted
5.5 (1) A person shall not bring an animal on to an aerodrome unless—
   (a) the person is a person referred to in section 8 of the Dog Act 1976 acting in accordance with that provision;
   (b) the animal is being air freighted from the aerodrome;
   (c) the animal has been air freighted to the aerodrome; or
   (d) the person is authorised to do so by the local government.
(2) A person in charge of an animal shall keep the animal under control and shall not allow it to wander at large on the aerodrome.
(3) If an animal is at any time on an aerodrome in contravention of subclause (2), in addition to the person specified in that subclause, the owner of the animal at that time commits an offence against subclause (2).

Division 6—Golf course

Interpretation
5.6 In this Division—
   “controller” means the person appointed by the local government to direct, control and manage a golf course;
   “golf course” means that portion of a golf course reserve which is laid out as a golf course and includes all tees, fairways, greens, practice tees, practice fairways, practice greens and any driving range; and
   “golf course reserve” means the local government property described in Schedule 3 and includes all buildings, structures, fittings, fixtures and equipment on that land.

Observance of special conditions of play
5.7 While on a golf course, every player shall observe and comply with a—
   (a) direction of a controller in respect of any special conditions of play; and
   (b) requirement of any notice erected to direct or control play.

PART 6—FEES FOR ENTRY ON TO LOCAL GOVERNMENT PROPERTY

No unauthorised entry to function
6.1 (1) A person shall not enter local government property on such days or during such times as the property may be set aside for a function for which a charge for admission is authorised, except—
   (a) through the proper entrance for that purpose; and
   (b) on payment of the fee chargeable for admission at the time.
(2) The local government may exempt a person from compliance with subclause (1)(b).
PART 7—OBJECTIONS AND APPEALS

Application of Division 1, Part 9 of the Act

7.1 When the local government makes a decision as to whether it will—
   (a) grant a person a permit or consent under this local law; or
   (b) renew, vary, or cancel a permit or consent that a person has under this local law,
the provisions of Division 1 of Part 9 of the Act and regulations 32A and 33 of the Regulations apply
to that decision.

PART 8—MISCELLANEOUS

Authorised person to be obeyed

8.1 A person on local government property shall obey any lawful direction of an authorised person and
shall not in any way obstruct or hinder an authorised person in the execution of her or his duties.

Persons may be directed to leave local government property

8.2 An authorised person may direct a person to leave local government property where she or he
reasonably suspects that the person has contravened a provision of any written law.

Disposal of lost property

8.3 An article left on any local government property, and not claimed within a period of 3 months,
may be disposed of by the local government in any manner it thinks fit.

Liability for damage to local government property

8.4 (1) Where a person unlawfully damages local government property, the local government may by
notice in writing to that person require that person within the time required in the notice to, at the
option of the local government, pay the costs of—
   (a) reinstating the property to the state it was in prior to the occurrence of the damage; or
   (b) replacing that property.
   (2) On a failure to comply with a notice issued under subclause (1), the local government may recover
the costs referred to in the notice as a debt due to it.

PART 9—ENFORCEMENT

Division 1—Notices given under this local law

Offence to fail to comply with notice

9.1 Whenever the local government gives a notice under this local law requiring a person to do any
thing, if a person fails to comply with the notice, that person commits an offence.

Local government may undertake requirements of notice

9.2 Where a person fails to comply with a notice referred to in clause 11.1, the local government may
do the thing specified in the notice and recover from the person to whom the notice was given, as a
debt, the costs incurred in so doing.

Division 2—Offences and penalties

Subdivision 1—General

Offences and general penalty

9.3 (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) Any person who commits an offence under this local law is 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.

Subdivision 2—Infringement notices and modified penalties

Prescribed offences

9.4 (1) An offence against a clause specified in Schedule 1 is a prescribed offence for the purposes of
section 9.16(1) of the Act.
   (2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause
in Schedule 1.
   (3) For the purpose of guidance only, before giving an infringement notice to a person in respect of the
commission of a prescribed offence, an authorised person should be satisfied that—
      (a) commission of the prescribed offence is a relatively minor matter; and
      (b) only straightforward issues of law and fact are involved in determining whether the
prescribed offence was committed, and the facts in issue are readily ascertainable.
Form of notices
9.5 (1) For the purposes of this local law—
(a) where a vehicle is involved in the commission of an offence, the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 1 of the Regulations;
(b) the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the Regulations; and
(c) the form of the notice referred to in section 9.20 of the Act is that of Form 3 in Schedule 1 of the Regulations.

(2) Where an infringement notice is given under section 9.16 of the Act in respect of an alleged offence against clause 2.4, the notice is to contain a description of the alleged offence.

Division 3—Evidence in legal proceedings

Evidence of a determination
9.6 (1) In any legal proceedings, evidence of a determination may be given by tendering the register referred to in clause 2.5 or a certified copy of an extract from the register.

(2) It is to be presumed, unless the contrary is proved, that the determination was properly made and that every requirement for it to be made and have effect has been satisfied.

(3) Subclause (2) does not make valid a determination that has not been properly made.

SCHEDULE 1—PRESCRIBED OFFENCES

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<thead>
<tr>
<th>Clause</th>
<th>Description</th>
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<tr>
<td>2.4</td>
<td>Failure to comply with determination</td>
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<tr>
<td>3.6</td>
<td>Failure to comply with conditions of permit</td>
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<td>3.13(1)</td>
<td>Failure to obtain a permit</td>
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<td>3.14(3)</td>
<td>Failure to obtain permit to camp outside a facility</td>
<td>$125</td>
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<tr>
<td>3.15(1)</td>
<td>Failure to obtain permit for liquor</td>
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<td>3.16</td>
<td>Failure of permit holder to comply with responsibilities</td>
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<td>4.2(1)</td>
<td>Behaviour detrimental to property</td>
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<td>4.4</td>
<td>Under influence of liquor or prohibited drug</td>
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<tr>
<td>4.6(2)</td>
<td>Failure to comply with sign on local government property</td>
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<td>5.2</td>
<td>Consuming food or drink in prohibited area</td>
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<td>5.6</td>
<td>Unauthorised entry to fenced or closed local government property</td>
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<td>5.7</td>
<td>Gender not specified using entry of toilet block or change room</td>
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<td>5.8</td>
<td>Failure to comply with direction of controller or notice on golf course</td>
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<td>6.1(1)</td>
<td>Unauthorised entry to function on local government property</td>
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<td>11.1</td>
<td>Failure to comply with notice</td>
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SCHEDULE 2—DETERMINATIONS

The following determinations are to be taken to have been made by the local government under clause 2.1.

PART 1—PRELIMINARY

Definitions
1.1 In these determinations unless the context otherwise requires—

“local law” means the Local Government Property Local Law made by the local government:

Interpretation
1.2 Unless the context otherwise requires, where a term is used but not defined in a determination and that term is defined in the local law then the term shall have the meaning given to it in the local law.

SCHEDULE 3—GOLF COURSE RESERVE
Dated 19 November 2018.
The Common Seal of the Shire of Dowerin was affixed by authority of a resolution of the Council in the presence of—

DARREL HUDSON, Shire President.
REBECCA McCALL, Chief Executive Officer.

______________________________
Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Dowerin resolved on 21 August 2018 to make the following local law.

**PART 1—PRELIMINARY**

1.1 Citation
This local law may be cited as the *Shire of Dowerin Parking and Parking Facilities Local Law 2018*.

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

1.3 Interpretation
In this local law unless the context otherwise requires—

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

*authorised person* means a person appointed by the local government 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 local government, CEO, authorised 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 embayment’s, 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;

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

(a) an Australian Disability Parking Permit; and

(b) an ACROD Parking Program Card;
**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 Dowerin;

**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;

**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 Road Traffic 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;

**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—

(a) avoiding conflict with other traffic: or

(b) complying with the provisions of any law: or

(c) 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—

(a) which belongs to the local government;

(b) of which the local government is the management body under the *Land Administration Act 1997*; or

(c) which is an “otherwise unvested facility” within section 3.53 of the Act;

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

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

**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:
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.

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

1.5 Application and pre-existing signs
(1) Subject to 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) caravans;
(c) commercial vehicles;
(d) motorcycles and bicycles;
(e) tractors
(f) taxis; and
(g) 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), (3) and (4), a person shall not park a vehicle in a parking stall in a thoroughfare otherwise than—
(a) parallel to and as close to the kerb as is practicable;
(b) wholly within the stall; and
(c) headed in the direction of the movement of traffic on the side of the thoroughfare in which the stall is situated.
(2) Subject to subclause (3) where a parking stall in a thoroughfare is set out otherwise than parallel to the kerb, then a person must park a vehicle in that stall wholly within it.
(3) If a vehicle is too long or too wide to fit completely within a single parking stall then the person parking the vehicle shall do so within the minimum number of parking stalls needed to park that vehicle.
(4) A person shall not park a vehicle partly within and partly outside a parking area.

2.3 Parking prohibitions and restrictions
(1) A person shall not—
(a) park a vehicle so as to obstruct an entrance to, or an exit from a parking station, or an access way within a parking station;
(b) except with the permission of the local government or an authorised person park a vehicle on any part of a parking station contrary to a sign referable to that part;
(c) permit a vehicle to park on any part of a parking station, if an authorised person directs the driver of such vehicle to move the vehicle; or
(d) park or attempt to park a vehicle in a parking stall in which another vehicle is parked but this paragraph does not prevent the parking of a motorcycle and a bicycle together in a stall marked “M/C”, if the bicycle is parked in accordance with 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 persons with a disability) for twice the length of time allowed, provided that—
(a) the driver’s vehicle displays a disability parking permit; and
(b) a person with a disability to which that disability parking permit 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 a disability parking permit; and
(ii) a person with a disability to which the disability parking permit relates is either the driver of the vehicle or a passenger in the vehicle.
(b) The driver may park a vehicle in a thoroughfare or a part of a thoroughfare or part of a parking station, except in a thoroughfare or a part of a thoroughfare or part of a parking station to which a disabled parking sign relates for twice the period indicated on the sign.
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.

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”.

A person shall not, without the prior permission of the local government, the CEO, or an authorised person, park a vehicle in an area designated by a sign stating, “Authorised Vehicles Only”.

3.2 Parking vehicle on a carriageway

(1) A person parking a vehicle on a carriageway other than in a parking stall shall park it—

(a) in the case of a two-way carriageway, so that it is as near as practicable to and parallel with, the left boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the vehicle is parked;

(b) in the case of a one-way carriageway, so that it is as near as practicable to and parallel with either boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the vehicle is parked;

(c) so that at least 3 metres of the width of the carriageway lies between the vehicle and the farther boundary of the carriageway, or any continuous line or median strip, or between the vehicle and a vehicle parked on the farther side of the carriageway;

(d) so that the front and the rear of the vehicle respectively is not less than 1 metre from any other vehicle, except a motorcycle without a trailer, or a bicycle parked in accordance with this local law: and

(e) so that it does not obstruct any vehicle on the carriageway, unless otherwise indicated on a parking regulation sign or markings on the roadway.

(2) In this clause, ‘continuous dividing line’ means—

(a) a single continuous dividing line only;

(b) a single continuous dividing line to the left or right of a broken dividing line; or

(c) 2 parallel continuous dividing lines.

3.3 When parallel and right-angled parking apply

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

(a) adjacent to the boundary of a carriageway, a person parking a vehicle in the parking area shall park it as near as practicable to and parallel with that boundary: and

(b) at or near the centre of the carriageway, a person parking a vehicle in that parking area shall park it at approximately right angles to the centre of the carriageway.

3.4 When angle parking applies

(1) This clause does not apply to—

(a) a passenger vehicle or a commercial vehicle with a mass including any load, of over 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; or

   (b) a children’s crossing or pedestrian crossing.

(5) A person shall not park a vehicle so that any portion of the vehicle is within 20 metres of either the approach side or the departure side of the nearest rail of a railway level crossing.

3.6 Authorised person may order vehicle on thoroughfare to be moved

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

3.7 Authorised person may mark tyres

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

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

3.8 No 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—

   (a) which belongs to the local government;

   (b) of which the local government is the management body under the Land Administration Act 1997;

   (c) which is an “otherwise unvested facility” within section 3.53 of the Act;

   (d) which is the subject of an agreement referred to in clause 1.5(2); or

   (e) which is identified in Schedule 4.

(2) A person shall not park a vehicle on land without the consent of the owner or occupier of the land on which the vehicle is parked.

(3) Where the owner or occupier of the land, by a sign referable to that land or otherwise, consents to the parking of vehicles of a specified class or classes on the land for a limited period, a person shall not park a vehicle on the land otherwise than in accordance with the consent.
3.11 Parking on reserves
No person other than an employee of the local government in the course of his or her duties or a person authorised by the local government shall drive or park a vehicle upon or over any portion of a reserve other than upon an area specifically set aside for that purpose.

3.12 Suspension of parking limitations for urgent, essential or official duties
(1) Where by a sign the parking of vehicles is permitted for a limited time on a portion of a thoroughfare or parking facility, the local government, the CEO or an authorised person may, subject to the Code, permit a person to park a vehicle in that portion of the thoroughfare or parking facility for longer than the permitted time in order that the person may carry out urgent, essential or official duties.
(2) Where permission is granted under subclause (1), the local government, the CEO or an authorised person may prohibit the use by any other vehicle of that portion of the thoroughfare or parking facility to which the permission relates, for the duration of that permission.

PART 4—PARKING AND STOPPING GENERALLY

4.1 No stopping and no parking signs, and yellow edge lines
(1) No stopping
A driver shall not stop on a length of carriageway, or in an area, to which a “no stopping” sign applies.
(2) No parking
A driver shall not stop on a length of carriageway or in an area to which a “no parking” sign applies, unless the driver is—
(a) dropping off, or picking up, passengers or goods;
(b) does not leave the vehicle unattended; and
(c) completes the dropping off, or picking up, of the passengers or goods within 2 minutes of stopping and drives on.

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

4.2 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) a motor vehicle used for commercial or trade purposes engaged in the picking up or setting down of goods; or
(b) a motor vehicle taking up or setting down passengers,
but, in any event, shall not remain in that loading zone—
(c) for longer than a time indicated on the “loading zone” sign; or
(d) longer than 30 minutes (if no time is indicated on the sign).

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

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

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

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
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.

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)(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 on a parking area for people with disabilities
A driver shall not stop in a parking area for people with disabilities unless—
   (a) the vehicle displays an ACROD sticker; and
   (b) either the driver or a passenger in that vehicle is a person with disabilities.

PART 7—MISCELLANEOUS

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

7.2 Unauthorised signs and defacing of signs
A person shall not without the authority of the local government—
   (a) mark, set up or exhibit a sign purporting to be or resembling a sign marked, set up or exhibited by the local government under this local law;
   (b) remove, deface or misuse a sign or property, set up or exhibited by the local government under this local law or attempt to do any such act; or
   (c) affix a board, sign, placard, notice or other thing to or paint or write upon any part of a sign set up or exhibited by the local government under this local law.

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

7.4 General provisions about signs
(1) A sign marked, erected, set up, established or displayed on or near a thoroughfare is, in the absence of evidence to the contrary presumed to be a sign marked, erected, set up, established or displayed under the authority of this local law.

(2) The first three letters of any day of the week when used on a sign indicate that day of the week.

7.5 Special purpose and emergency vehicles
Notwithstanding anything to the contrary in this local law, the driver of—
   (a) a special purpose vehicle may, only in the course of his or her duties and when it is expedient and safe to do so, stop, or park the vehicle in any place, at any time; and
(b) an emergency vehicle may, in the course of his or her duties and when it is expedient and safe to do so or where he or she honestly and reasonably believes that it is expedient and safe to do so, stop, or park the vehicle at any place, at any time.

7.6 Vehicles not to obstruct a public place
(1) A person shall not leave a vehicle, or any part of a vehicle, in a public place so that it obstructs the use of any part of that public place without the permission of the local government or unless authorised under any written law.
(2) A person will not contravene 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 $1,000, and if the offence is of a continuing nature, to an additional penalty not exceeding $100 for each day or part of a day during which the offence has continued.
(4) The amount appearing in the final column of Schedule 2 directly opposite a clause specified in that Schedule is the modified penalty for an offence against that clause.

8.2 Form of notices
For the purposes of this local law—
(a) the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 3;
(b) the form of the infringement notice referred to in section 9.17 of the Act is that of Form 2 in Schedule 3;
(c) the form of the infringement notice referred to in section 9.17 of the Act which incorporates the notice referred to in section 9.13 of the Act, is that of Form 3 in Schedule 3; and
(d) the form of the notice referred to in section 9.20 of the Act is that of Form 4 in Schedule 3.

SCHEDULE 1—PARKING REGION
The parking region is the whole of the district, but excludes the following portions of the district—
1. the approach and departure prohibition areas of all existing and future traffic control signal installations as determined by the Commissioner of Main Roads;
2. prohibition areas applicable to all existing and future bridges and subways as determined by the Commissioner of Main Roads; and
3. any road which comes under the control of the Commissioner of Main Roads unless the control of parking and parking facilities on that road is carried out subject to the control and direction of the Commissioner of Main Roads or has been delegated by the Commissioner to the local government.

SCHEDULE 2—PRESCRIBED OFFENCES

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<td>Parking within 1 metre of fire hydrant or fire plug</td>
<td>70</td>
</tr>
<tr>
<td>32</td>
<td>3.5(2)(j)</td>
<td>Parking within 3 metres of public letter box</td>
<td>65</td>
</tr>
<tr>
<td>33</td>
<td>3.5(2)(k)</td>
<td>Parking within 10 metres of intersection</td>
<td>65</td>
</tr>
<tr>
<td>34</td>
<td>3.5(3)(a) or (b)</td>
<td>Parking vehicle within 10 metres of departure side of bus stop, children’s crossing or pedestrian crossing</td>
<td>70</td>
</tr>
<tr>
<td>35</td>
<td>3.5(4)(a) or (b)</td>
<td>Parking vehicle within 20 metres of approach side of bus stop, children’s crossing or pedestrian crossing</td>
<td>70</td>
</tr>
<tr>
<td>36</td>
<td>3.5(5)</td>
<td>Parking vehicle within 20 metres of approach side or departure side of railway level crossing</td>
<td>70</td>
</tr>
<tr>
<td>37</td>
<td>3.6</td>
<td>Parking contrary to direction of authorised person</td>
<td>70</td>
</tr>
<tr>
<td>38</td>
<td>3.7(2)</td>
<td>Removing mark of authorised person</td>
<td>65</td>
</tr>
<tr>
<td>39</td>
<td>3.8</td>
<td>Moving vehicle to avoid time limitation</td>
<td>70</td>
</tr>
<tr>
<td>40</td>
<td>3.9(a)</td>
<td>Parking in thoroughfare for purpose of sale</td>
<td>60</td>
</tr>
<tr>
<td>41</td>
<td>3.9(b)</td>
<td>Parking unlicensed vehicle in thoroughfare</td>
<td>60</td>
</tr>
<tr>
<td>42</td>
<td>3.9(c)</td>
<td>Parking a trailer/caravan on a thoroughfare</td>
<td>60</td>
</tr>
<tr>
<td>43</td>
<td>3.9(d)</td>
<td>Parking in thoroughfare for purpose of repairs</td>
<td>60</td>
</tr>
<tr>
<td>44</td>
<td>3.10(1) or (2)</td>
<td>Parking on land that is not a parking facility without consent</td>
<td>70</td>
</tr>
<tr>
<td>45</td>
<td>3.10(3)</td>
<td>Parking on land not in accordance with consent</td>
<td>60</td>
</tr>
<tr>
<td>46</td>
<td>3.11</td>
<td>Driving or parking on reserve</td>
<td>60</td>
</tr>
<tr>
<td>47</td>
<td>4.1(1)</td>
<td>Stopping contrary to a “no stopping” sign</td>
<td>70</td>
</tr>
<tr>
<td>48</td>
<td>4.1(2)</td>
<td>Stopping contrary to a “no parking” sign</td>
<td>70</td>
</tr>
<tr>
<td>49</td>
<td>4.1(3)</td>
<td>Stopping within continuous yellow lines</td>
<td>60</td>
</tr>
<tr>
<td>50</td>
<td>5.1</td>
<td>Stopping unlawfully in a loading zone</td>
<td>60</td>
</tr>
<tr>
<td>51</td>
<td>5.2</td>
<td>Stopping unlawfully in a taxi zone or bus zone</td>
<td>60</td>
</tr>
<tr>
<td>52</td>
<td>5.3</td>
<td>Stopping unlawfully in a mail zone</td>
<td>60</td>
</tr>
<tr>
<td>53</td>
<td>5.4</td>
<td>Stopping in a zone contrary to a sign</td>
<td>60</td>
</tr>
<tr>
<td>54</td>
<td>6.1</td>
<td>Stopping in a shared zone</td>
<td>60</td>
</tr>
<tr>
<td>55</td>
<td>6.3</td>
<td>Stopping near an obstruction</td>
<td>65</td>
</tr>
<tr>
<td>56</td>
<td>6.4</td>
<td>Stopping on a bridge</td>
<td>65</td>
</tr>
<tr>
<td>57</td>
<td>6.5</td>
<td>Stopping on crests/curves etc</td>
<td>65</td>
</tr>
<tr>
<td>58</td>
<td>6.6</td>
<td>Stopping near fire hydrant</td>
<td>65</td>
</tr>
<tr>
<td>59</td>
<td>6.7</td>
<td>Stopping near bus stop</td>
<td>65</td>
</tr>
<tr>
<td>60</td>
<td>6.8</td>
<td>Stopping on path, median strip or traffic island</td>
<td>60</td>
</tr>
<tr>
<td>61</td>
<td>6.9</td>
<td>Stopping on verge</td>
<td>60</td>
</tr>
<tr>
<td>62</td>
<td>6.10</td>
<td>Obstructing path, a driveway etc</td>
<td>60</td>
</tr>
<tr>
<td>Item No.</td>
<td>Clause No.</td>
<td>Nature of Offence</td>
<td>Modified Penalty</td>
</tr>
<tr>
<td>---------</td>
<td>------------</td>
<td>-------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>63</td>
<td>6.11</td>
<td>Stopping near letter box</td>
<td>60</td>
</tr>
<tr>
<td>64</td>
<td>6.12</td>
<td>Stopping heavy or long vehicles on carriageway</td>
<td>65</td>
</tr>
<tr>
<td>65</td>
<td>6.13</td>
<td>Stopping in bicycle parking area</td>
<td>60</td>
</tr>
<tr>
<td>66</td>
<td>6.14</td>
<td>Stopping in motorcycle parking area</td>
<td>60</td>
</tr>
<tr>
<td>67</td>
<td>6.15</td>
<td>Stopping on a parking area for people with disabilities</td>
<td>120</td>
</tr>
<tr>
<td>68</td>
<td>7.6</td>
<td>Leaving vehicle so as to obstruct a public place</td>
<td>70</td>
</tr>
<tr>
<td>69</td>
<td></td>
<td>All other offences not specified</td>
<td>50</td>
</tr>
</tbody>
</table>

SCHEDULE 3—FORMS
LOCAL GOVERNMENT ACT 1995
FORM 1
PARKING AND PARKING FACILITIES LOCAL LAW 2018
NOTICE TO OWNER OF VEHICLE INVOLVED IN OFFENCE

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 2018.

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 authorised officer of the local
government as to the identity and address of the person who was the driver or person
in charge of the vehicle at the time the offence is alleged to have been committed: and
   (ii) you satisfy the Chief Executive Officer that the vehicle had been stolen, or was being
unlawfully used, at the time the offence is alleged to have been committed: or

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

(5) ........................................................................................................
(6)  ..................................................................................................................................................................

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

LOCAL GOVERNMENT ACT 1995
FORM 2
PARKING AND PARKING FACILITIES LOCAL LAW 2018
INFRINGEMENT NOTICE

Serial No .........................

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 2018.
The modified penalty for the offence is $ ...............
If you do not wish to have a complaint of the alleged offence heard and determined by a court, the
amount of the modified penalty may be paid to an authorised person at the Shire of Dowerin 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 authorised person
(6) Name and title of authorised person giving notice

LOCAL GOVERNMENT ACT 1995
FORM 3
PARKING AND PARKING FACILITIES LOCAL LAW 2018
INFRINGEMENT NOTICE
Serial No ......................................
Date .......... / .......... / ..........

To: (1) ..............................................................................................................................................................
of: (2) ...............................................................................................................................................................
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.

Local Government Act 1995
FORM 4
PARKING AND PARKING FACILITIES LOCAL LAW 2018
WITHDRAWAL OF INFRINGEMENT NOTICE

Serial No .........................
Date .......... / .......... / ..........
To: (1) .............................................................................................................................................................
of: (2) .............................................................................................................................................................
Infringement Notice No. .............................................................................. dated .......... / ....... / .......
in respect of vehicle: make: ........................................................................ ;
model: ....................................................................... ;
registration: .............................................................. ,
for the alleged offence of ...............................................................................................................................
.......................................................................................................................................................................
.......................................................................................................................................................................
.......................................................................................................................................................................
has been withdrawn.
The modified penalty of $ ......................................
• has been paid and a refund is enclosed.
• has not been paid and should not be paid.
• delete as appropriate.

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

SCHEDULE 4—DEEMED PARKING STATIONS

Dated 19 November 2018.
The Common Seal of the Shire of Dowerin was affixed by authority of a resolution of the Council in the presence of—

DARREL HUDSON, Shire President.
REBECCA McCALL, Chief Executive Officer.
LOCAL GOVERNMENT ACT 1995
City of Busselton
STANDING ORDERS AMENDMENT LOCAL LAW 2018

Under the powers conferred by the Local Government Act 1995 and under all other powers enabling it, the Council of the City of Busselton resolved on 28 November 2018 to make the following local law.

1. Title
This is the City of Busselton Standing Orders Amendment Local Law 2018.

2. Commencement
This local law comes into operation on the 14th day after the day on which it is published in the Government Gazette.

3. Principal Local Law
This local law amends the City of Busselton Standing Orders Local Law 2018.

4. Clause 5.2(1) replaced
Delete clause 5.2(1) and insert—

(1) Unless otherwise decided by the presiding member or the Council, the order of business at any ordinary meeting of the Council is to be as follows—

1. Declaration of opening/Acknowledgement of Country/Acknowledgement of visitors/Disclaimer
2. Attendance
   2.1 Apologies
   2.2 Approved leave of absence
3. Prayer
4. Disclosure of interests
5. Announcements by the presiding member (without discussion)
6. Question time for public
   6.1 Response to previous questions taken on notice
   6.2 Question time for public
7. Receiving of petitions, presentations and deputations
   7.1 Petitions
   7.2 Presentations
   7.3 Deputations
8. Questions by members of which due notice has been given (without discussion)
9. Confirmation of minutes
10. Applications for leave of absence
11. Items brought forward for the convenience of those in the public gallery
12. Reports of committee meetings
13. Reports
14. Motions of which previous notice has been given
15. Urgent business
16. Confidential matters
17. Closure

5. Clause 5.8 amended
In clause 5.8(2) delete “10” and insert—

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6. Clause 5.10 amended
In clause 5.10(6) delete “Local Government”.

7. Clause 6.7 amended
In clause 6.7(6)(c) after “law” insert—

, provided that the presiding member has taken all reasonable steps to assist the member of the public to phrase the question in a manner that is not offensive or defamatory, or does not breach these standing orders or any other law

8. Clause 8.16 amended
In clause 8.16(1) delete “16” and insert—

15
9. Clause 10.18 amended
In clause 10.18(2) delete “, the member”.

10. Clause 11.6 amended
In clause 11.6(2) delete “5.6” and insert—

5.10

Dated: 29 November 2018.

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

GRANT DOUGLAS HENLEY, Mayor.
ANTHONY GRAHAM NOTTLE, A/Chief Executive Officer.

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