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LOCAL GOVERNMENT ACT 1995

CITY OF CANNING

PARKING LOCAL LAW 2010

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ARRANGEMENT

PART 1—PRELIMINARY

- 1.1 Citation
- 1.2 Commencement
- 1.3 Repeal
- 1.4 Application
- 1.5 Definitions
- 1.6 Application of particular definitions
- 1.7 Pre-existing signs
- 1.8 Classes of vehicles
- 1.9 Part of thoroughfare to which sign applies
- 1.10 Powers of the City
- 1.11 Notes do not form part of the local law

PART 2—STOPPING GENERALLY

- 2.1 No stopping
- 2.2 Stopping on a Clearway
- 2.3 Stopping on keep clear markings

PART 3—STOPPING IN ZONES FOR PARTICULAR VEHICLES

- 3.1 Stopping in a loading zone
- 3.2 Stopping in a taxi zone or a bus zone
- 3.3 Stopping in a mail zone
- 3.4 Other limitations in zones

PART 4—OTHER PLACES WHERE STOPPING IS RESTRICTED

- 4.1 Stopping in a bus lane, transit lane or bicycle lane
- 4.2 Stopping in a shared zone
- 4.3 Double parking
- 4.4 Stopping near an obstruction
- 4.5 Stopping on a bridge or in a tunnel, etc.
- 4.6 Stopping on crests, curves, etc.
- 4.7 Stopping near a fire hydrant etc.
- 4.8 Stopping at or near a bus stop
- 4.9 Stopping on a path, dividing strip, median strip, painted island or traffic island
- 4.10 Obstructing access to and from a path, driveway, etc.
- 4.11 Stopping near a letter box
- 4.12 Stopping on a carriageway—heavy and long vehicles
- 4.13 No Parking
- 4.14 Stopping on a verge

PART 5—PARKING BAYS AND PARKING STATIONS

- 5.1 Determination of parking bays and parking stations
- 5.2 Vehicles to be within parking bay on carriageway
- 5.3 Payment of fee to park in parking station
- 5.4 Suspension of parking station restrictions
- 5.5 Vehicle not to be removed until fee paid
- 5.6 Entitlement to receipt
- 5.7 Parking ticket to be clearly visible
- 5.8 Locking of parking station
- 5.9 Parking prohibitions and restrictions

PART 6—PARKING GENERALLY

- 6.1 Restrictions on parking in particular areas
- 6.2 Time extension for people with disabilities
- 6.3 Parallel parking on a carriageway (except in a median strip parking area)
- 6.4 Parallel parking in a median strip parking area
- 6.5 Angle parking
- 6.6 Parking in parking bays
- 6.7 Vehicle to be wholly within parking area
- 6.8 General prohibitions on parking
- 6.9 Authorised person may order vehicle on thoroughfare to be moved
- 6.10 Authorised person may mark tyres
- 6.11 No movement of vehicles to avoid time limitation
- 6.12 No parking of vehicles exposed for sale and in other circumstances
- 6.13 Parking on private land
- 6.14 Parking on reserves
- 6.15 Suspension of parking limitations for urgent, essential or official duties

PART 7—RESIDENTIAL PARKING PERMITS

- 7.1 Exemption for permit holders
- 7.2 Fees
- 7.3 Issue of permits
- 7.4 Maximum duration of residential parking permit or visitor parking permit
- 7.5 Validity of a permit
- 7.6 Revoking a permit
- 7.7 Removal of a permit from vehicle
- 7.8 Replacement of permit
- 7.9 Permit to be displayed

PART 8—MISCELLANEOUS

- 8.1 Removal of notices on vehicle
- 8.2 Unauthorized signs and defacing of signs
- 8.3 Signs shall be complied with
- 8.4 General provisions about signs
- 8.5 Special purpose and emergency vehicles
- 8.6 Vehicles not to obstruct a public place

PART 9—PENALTIES

- 9.1 Legal proceedings
- 9.2 Offences and penalties
- 9.3 Form of notices

LOCAL GOVERNMENT ACT 1995

CITY OF CANNING

PARKING LOCAL LAW 2010

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

PART 1— PRELIMINARY**1.1 Citation**

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

1.2 Commencement

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

1.3 Repeal

The following local laws are repealed—

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

1.4 Application

(1) Subject to subclause (2), this local law applies to the parking region.

(2) This local law does not apply to a parking facility or a parking station that is not occupied by the City, unless the City and the owner or occupier of that facility or station have agreed in writing that this local law will apply to that facility or station.

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

1.5 Definitions

In this Local Law unless the context otherwise requires—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- “**children’s crossing**” has the meaning given to it in the Code;
- “**CEO**” means the Chief Executive Officer of the City and includes an Acting Chief Executive Officer;
- “**City**” means the City of Canning;
- “**Code**” means the *Road Traffic Code 2000*;
- “**commercial vehicle**”—
- (a) means a motor vehicle constructed for the conveyance of goods or merchandise, or for the conveyance of materials used in any trade, business, industry or work whatsoever, other than a motor vehicle for the conveyance of passengers; and
 - (b) includes any motor vehicle that is designed primarily for the carriage of persons, but which has been fitted or adapted for the conveyance of the goods, merchandise or materials referred to, and is in fact used for that purpose;
- “**continuous dividing line**” has the meaning given to it in the Code;
- “**district**” means the district of the City;
- “**dividing strip**” has the meaning given to it in the Code;
- “**driver**” means any person driving or in control of a vehicle;
- “**dwelling unit**” means premises lawfully used for self contained living quarters;
- “**edge line**” has the meaning given to it in the Code;
- “**eligible person**” where used in relation to an application for a—
- (a) residential parking permit means a single house occupier, a unit occupier or a unit owner;
 - (b) visitor’s parking permit means—
 - (i) a single house occupier;
 - (ii) a strata company;
 - (iii) a unit owner of a residential unit which is not a strata lot;
- “**emergency vehicle**” has the meaning given to it in the Code;
- “**footpath**” has the meaning given to it in the Code;
- “**GVM**” (which stands for “gross vehicle mass”) has the meaning given to it in the Code;
- “**intersection**” has the meaning given to it in the Code;
- “**keep clear marking**” has the meaning given to it in the Code;
- “**kerb**” means and includes the constructed border or edge of the portion of a road paved for the use of vehicular traffic where any constructed border exists at the edge of the paved road whether any footpath has been constructed or not;
- “**level crossing**” has the meaning given to it in the Code;
- “**loading zone**” has the meaning given to it in the Code;
- “**mail zone**” has the meaning given to it in the Code;
- “**median strip**” has the meaning given to it in the Code;
- “**motor cycle**” has the meaning given to it in the Code;
- “**motor vehicle**” has the meaning given to it in the Road Traffic Act;
- “**nature strip**” has the meaning given to it in the Code;
- “**no parking area**” has the meaning given to it in the Code;
- “**no parking sign**” means a sign with the letter “P” within a red annulus and a red diagonal line across it on a white background;
- “**no stopping area**” has the meaning given to it by the Code;
- “**no stopping sign**” means a sign with the letter “S” within a red annulus and a red diagonal line across it on a white background;
- “**obstruction**” has the meaning given to it in the Code;
- “**occupier**” has the meaning given to it in the Act;
- “**one-way carriageway**” has the meaning given to it in the Code;
- “**owner**”—
- (a) where used in relation to a vehicle licensed under the Road Traffic Act, means the person in whose name the vehicle has been registered under that Act;
 - (b) where used in relation to any other vehicle, means the person who owns, or is entitled to possession of that vehicle; and
 - (c) where used in relation to land has the meaning given to it by the Act;
- “**painted island**” has the meaning given to it in the Code;
- “**park**” has the meaning given to it in the Code;
- “**parking area**” has the meaning given to it in the Code;
- “**parking bay**” means a section or part of a thoroughfare or of a parking station which is marked or defined by painted lines, metallic studs, coloured bricks or pavers or similar devices for the purpose of indicating where a vehicle may be parked, but does not include a metered bay;

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

“**parking facilities**” includes—

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

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

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

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

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

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

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

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

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

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

“**reserve**” means any land—

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

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

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

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

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

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

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

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

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

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

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

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

- (a) approved by the City;
- (b) which is placed on or near a thoroughfare or within a parking station or reserve for the purpose of prohibiting, regulating, guiding, directing or restricting the parking of vehicles; and
- (c) includes a “parking control” sign ;

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

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

“**symbol**” includes any symbol specified by Australian Standard 1742.11, as amended from time to time, and any symbol specified from time to time by Standards Australia for use in the regulation of parking and any reference to the wording of any sign in this local law shall be also deemed to include a reference to the corresponding symbol;

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

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

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

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

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

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

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

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

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

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

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

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

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

1.6 Application of particular definitions

(1) For the purposes of the application of the definitions “no parking area” and “parking area” an arrow inscribed on a traffic sign erected at an angle to the boundary of the carriageway is deemed to be pointing in the direction in which it would point, if the signs were turned at an angle of less than 90 degrees until parallel with the boundary.

(2) Unless the context otherwise requires, where a term is used, but not defined, in this local law, and that term is defined in the Road Traffic Act or in the Code, then the term shall have the meaning given to it in that Act or the Code.

1.7 Pre-existing signs

(1) A sign that—

(a) was erected by the City or the Commissioner of Main Roads prior to the coming into operation of this local law; and

(b) relates to the parking of vehicles within the parking region,

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

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

1.8 Classes of vehicles

For the purpose of this local law, vehicles are divided into classes as follows—

(a) buses;

(b) commercial vehicles;

(c) motorcycles and bicycles;

(d) taxis; and

(e) all other vehicles.

1.9 Part of thoroughfare to which sign applies

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

(a) lies beyond the sign;

(b) lies between the sign and the next sign beyond that sign; and

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

1.10 Powers of the City

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

1.11 Notes do not form part of the local law

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

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

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

PART 2—STOPPING GENERALLY

2.1 No stopping

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

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

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

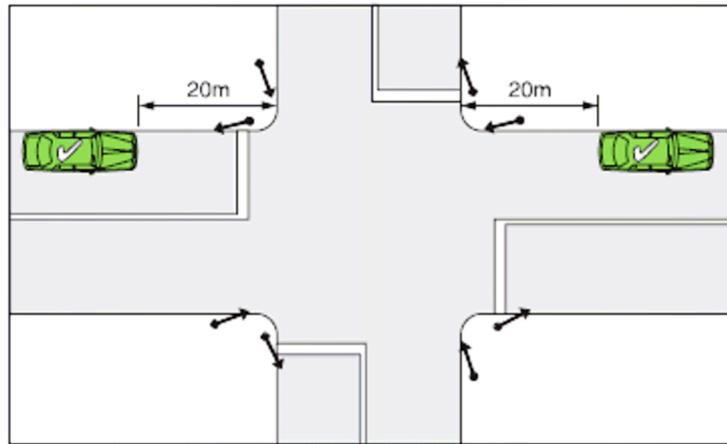
(c) where the stopping of vehicles is permitted for a specified time and the vehicle has been stopped for longer than that time.

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

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

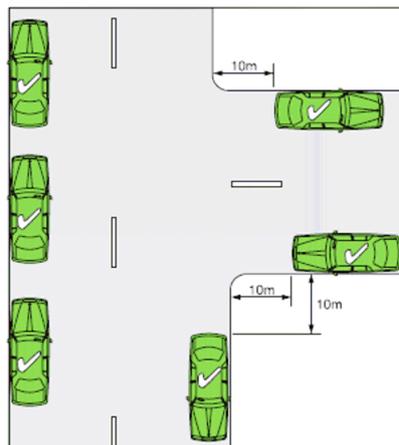
(a) within 20 metres from the nearest point of an intersecting carriageway at an intersection with traffic-control signals;

Example of measurement of distance—intersection with traffic control signals



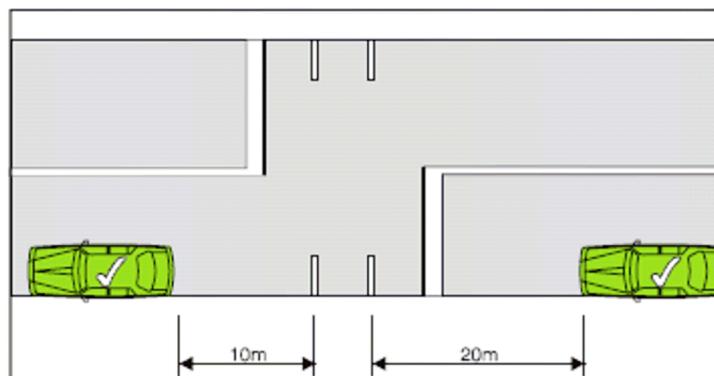
- (b) within 10 metres of the prolongation of the nearer edge of any intersecting carriageway (without traffic-control signals) intersecting that carriageway on the side on which the vehicle is stopped, unless the person stops, if the intersection is a T-intersection—along the continuous side of the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

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



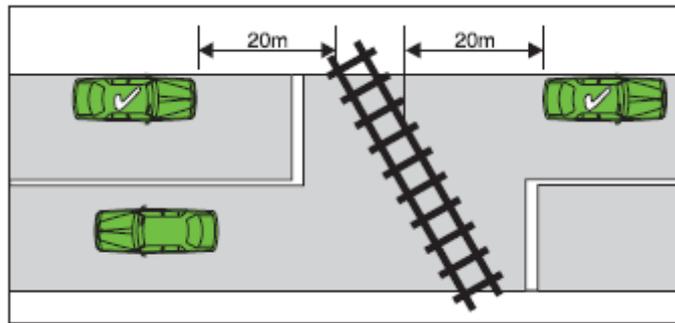
- (c) within 20 metres of the approach side of a pedestrian crossing or children’s crossing, except where the pedestrian crossing is at an intersection; or
- (d) within 10 metres of the departure side of a pedestrian crossing or children’s crossing, except where the pedestrian crossing is at an intersection;

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



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

Example of measurement of distance—level crossing



2.2 Stopping on a Clearway

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

2.3 Stopping on keep clear markings

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

PART 3—STOPPING IN ZONES FOR PARTICULAR VEHICLES

3.1 Stopping in a loading zone

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

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

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

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

3.2 Stopping in a taxi zone or a bus zone

(1) A driver shall not stop in a taxi zone, unless the driver is driving a taxi.

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

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

3.3 Stopping in a mail zone

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

3.4 Other limitations in zones

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

PART 4—OTHER PLACES WHERE STOPPING IS RESTRICTED

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

A driver shall not stop in—

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

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

4.2 Stopping in a shared zone

A driver shall not stop in a shared zone unless—

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

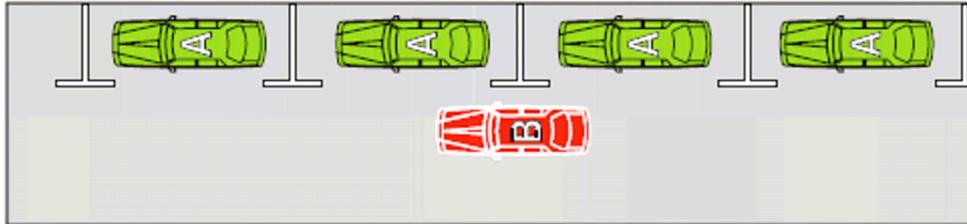
4.3 Double parking

(1) A driver shall not stop a vehicle so that any portion of the vehicle is between any other stopped vehicle and the centre of the carriageway.

(2) This clause does not apply to—

- (a) a driver stopped in traffic; or
- (b) a driver angle parking on the side of the carriageway or in a median strip parking area, in accordance with this local law.

Example of double parking



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

4.4 Stopping near an obstruction

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

4.5 Stopping on a bridge or in a tunnel, etc.

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

4.6 Stopping on crests, curves, etc.

A driver shall not stop a vehicle on, or partly on, a carriageway, in any position where it is not visible to the driver of an overtaking vehicle from a distance of 50 metres.

4.7 Stopping near a fire hydrant etc.

- (1) A driver shall not stop a vehicle so that any portion of the vehicle is within one metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug, unless—
 - (a) the driver is driving a public bus, and the driver stops in a bus zone or at a bus stop and does not leave the bus unattended; or
 - (b) the driver is driving a taxi, and the driver stops in a taxi zone and does not leave the taxi unattended.

4.8 Stopping at or near a bus stop

- (1) A driver shall not stop a vehicle so that any portion of the vehicle is within 20 metres of the approach side of a bus stop, or within 10 metres of the departure side of a bus stop, unless—
 - (a) the vehicle is a public bus stopped to take up or set down passengers; or
 - (b) the driver stops at a place on a length of carriageway, or in an area, where the driver is permitted to stop at that place under this local law, whether by a sign or otherwise.
- (2) In this clause, distances are measured in the direction in which the driver is driving.

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

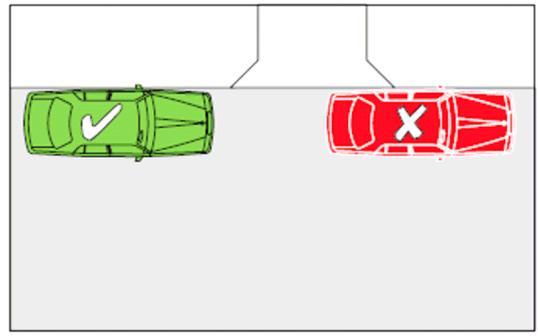
The driver of a vehicle (other than a bicycle or an animal) shall not stop so that any portion of the vehicle is on a path, dividing strip, median strip, painted island, or traffic island, unless the driver stops in a place where the driver is permitted to stop at that place under this local law, whether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

4.10 Obstructing access to and from a path, driveway, etc.

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

- (b) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under this local law.

Example of blocking a driveway



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

4.11 Stopping near a letter box

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

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

4.12 Stopping on a carriageway—heavy and long vehicles

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

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

4.13 No Parking

(1) A driver shall not stop on a length of carriageway or in an area to which a “no parking” sign applies, unless the driver—

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

4.14 Stopping on a verge

(1) A person shall not—

- (a) stop a vehicle (other than a bicycle);
- (b) stop a commercial vehicle or bus, or a trailer or caravan unattached to a motor vehicle; or
- (c) stop a vehicle during any period when the stopping of vehicles on that verge is prohibited by a sign adjacent and referable to that verge,

so that any portion of it is on a verge.

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

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

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

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

PART 5—PARKING BAYS AND PARKING STATIONS

5.1 Determination of parking bays and parking stations

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

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

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

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

5.2 Vehicles to be within parking bay on carriageway

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

- (a) parallel to and as close to the kerb as is practicable;
- (b) wholly within the bay; and
- (c) headed in the direction of the movement of traffic on the side of the carriageway in which the bay is situated.

(2) If a vehicle is too long or too wide to fit completely within a single parking bay then the person parking the vehicle shall do so within the minimum number of parking bays needed to park that vehicle.

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

5.3 Payment of fee to park in parking station

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

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

5.4 Suspension of parking station restrictions

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

5.5 Vehicle not to be removed until fee paid

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

5.6 Entitlement to receipt

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

5.7 Parking ticket to be clearly visible

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

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

an authorised person examining the ticket from outside the vehicle.

5.8 Locking of parking station

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

5.9 Parking prohibitions and restrictions

(1) A person shall not—

- (a) park a vehicle so as to obstruct an entrance to, or an exit from a parking station, or an access way within a parking station;
- (b) except with the permission of the City or an authorised person park a vehicle on any part of a parking station contrary to a sign referable to that part;
- (c) permit a vehicle to park on any part of a parking station, if an authorised person directs the driver of such vehicle to move the vehicle; or
- (d) park or attempt to park a vehicle in a parking bay in which another vehicle is parked but this paragraph does not prevent the parking of a motorcycle and a bicycle together in a bay marked "M/C", if the bicycle is parked in accordance with subclause (2).

(2) No person shall park any bicycle—

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

(3) A driver may park a vehicle in a parking bay (except in a parking area for people with disabilities) for twice the length of time allowed, provided that—

- (a) the driver's vehicle displays an ACROD sticker; and
- (b) a person with disabilities to which that ACROD sticker relates is either the driver of or a passenger in the vehicle.

PART 6—PARKING GENERALLY

6.1 Restrictions on parking in particular areas

(1) Subject to clause 6.2, a person shall not park a vehicle in a thoroughfare or part of a thoroughfare, or part of a parking station—

- (a) if by a sign it is set apart for the parking of vehicles of a different class;
- (b) if by a sign it is set apart for the parking of vehicles by persons of a different class; or
- (c) during any period when the parking of vehicles is prohibited by a sign.

(2) A person shall not park a vehicle—

- (a) in a no parking area;
- (b) in a parking area, except in accordance with both the signs associated with the parking area and with this local law;
- (c) in a bay marked "M/C" unless it is a motorcycle without a sidecar or a trailer, or it is a bicycle;
- (d) at any time in a right of way; or
- (e) unless clause 6.12 applies, for more than the maximum time specified by a sign.

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

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

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

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

6.2 Time extension for people with disabilities

(1) This clause applies to a driver if—

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

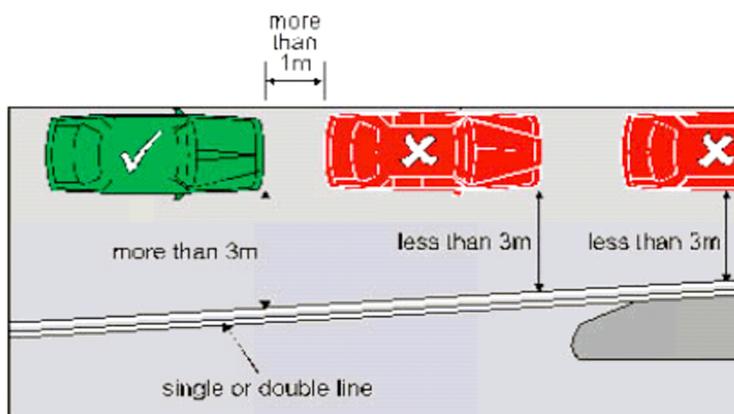
(2) A driver may park continuously on a length of carriageway, or in an area, to which a "permissive parking" sign applies (except in a parking area for people with disabilities) for twice the period indicated on the sign.

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

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

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

Parallel parking—minimum distance from other vehicles and dividing strip



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

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

6.4 Parallel parking in a median strip parking area

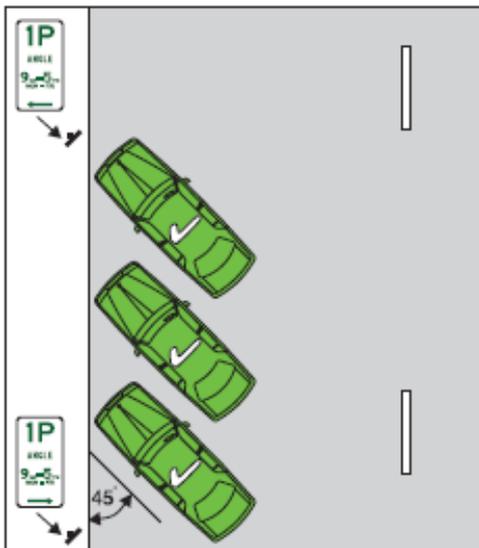
- (1) Unless otherwise permitted by a sign, a driver parking a vehicle in a median strip parking area shall park the vehicle—
- (a) to face in the direction of travel of vehicles in the marked land or line of traffic to the left of the driver;
 - (b) parallel, and as near as practicable, to the centre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

6.5 Angle parking

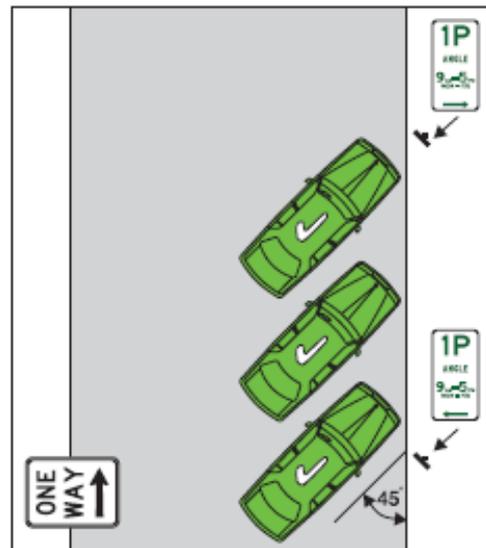
- (1) This clause does not apply to—
- (a) a passenger vehicle of over 3 tonnes; or
 - (b) a commercial vehicle with a mass including any load, of over 3 tonnes; or
 - (c) a person parking either a motor cycle without a trailer or a bicycle.
- (2) Where a sign relating to a parking area is inscribed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

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

Example 1
Parking at 45°
at the side of a two-way
carriageway



Example 2
Parking at 45°
at the right side of a
one-way carriageway



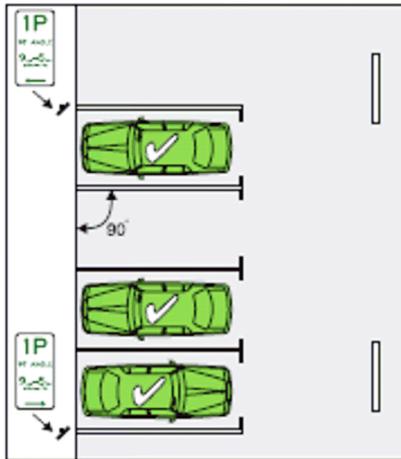
(3) Where a sign relating to a parking area indicates that the driver's vehicle must be parked at an angle of 90 degrees, (or with an equivalent symbol depicting this purpose), the driver—

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

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

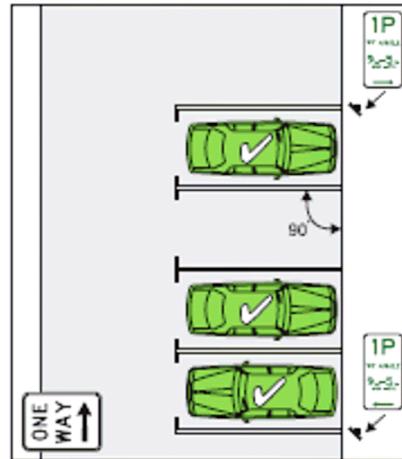
Example 1

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



Example 2

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

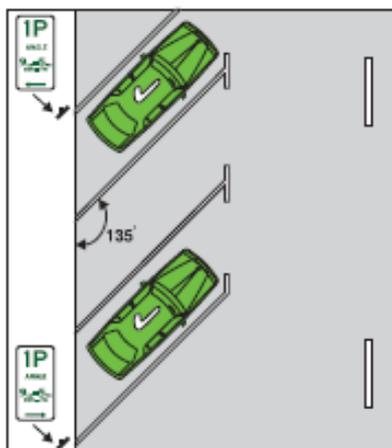


(4) Where a sign relating to a parking area indicates that the driver's vehicle must be parked at an angle of 135 degrees, (or with an equivalent symbol depicting this purpose), the driver shall park—

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

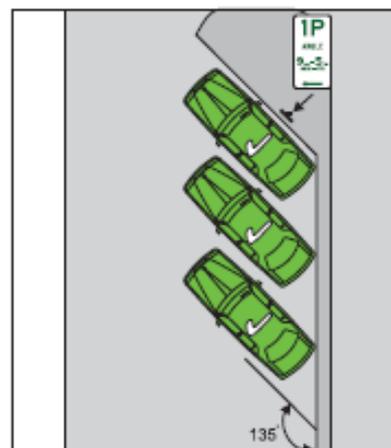
Example 1

Parking at 135°
at the side of a carriageway



Example 2

Parking at 135°
in a median strip parking area



6.6 Parking in parking bays

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

6.7 Vehicle to be wholly within parking area

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

6.8 General prohibitions on parking

(1) This clause does not apply to a vehicle parked in a parking bay nor to a bicycle in a bicycle rack.

(2) Subject to any law relating to intersections with traffic control signals, a person shall not park a vehicle so that any portion of the vehicle is—

- (a) between any other stationary vehicles and the centre of the carriageway;
- (b) alongside or opposite any excavation, works, hoarding, scaffolding or obstruction on the carriageway, if the vehicle would obstruct traffic;
- (c) between the boundaries of a carriageway and any double longitudinal line consisting of two continuous lines or ;
- (d) between a double longitudinal line consisting of a continuous line and a broken or dotted line and the boundary of a carriageway nearer to the continuous line, unless there is a distance of at least 3 metres clear between the vehicle and the double longitudinal line; or
- (e) on an intersection, except adjacent to a carriageway boundary that is not broken by an intersecting carriageway.

6.9 Authorised person may order vehicle on thoroughfare to be moved

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

6.10 Authorised person may mark tyres

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

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

6.11 No movement of vehicles to avoid time limitation

(1) Where the parking of vehicles in a parking facility is permitted for a limited time, a person shall not move a vehicle within the parking facility so that the total time of parking exceeds the maximum time allowed for parking in the parking facility, unless the vehicle has first been removed from that parking facility for at least one (1) hour.

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

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

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

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

6.13 Parking on private land

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

- (a) which belongs to the City;
- (b) of which the City is the management body under the *Land Administration Act 1997*;
- (c) which is an “otherwise unvested facility” within section 3.53 of the Act;
- (d) which is the subject of an agreement referred to in clause 1.4 (2).

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

(3) Where the owner or occupier of the land, by a sign referable to that land or otherwise, consents to the parking of vehicles of a specified class or classes on the land for a limited period, a person shall not park a vehicle on the land otherwise than in accordance with the consent.

6.14 Parking on reserves

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

6.15 Suspension of parking limitations for urgent, essential or official duties

(1) Where by a sign the parking of vehicles is permitted for a limited time on a portion of a thoroughfare or parking facility, the City, the CEO or an authorised person may, subject to the Code, permit a person to park a vehicle in that portion of the thoroughfare or parking facility for longer than the permitted time in order that the person may carry out urgent, essential or official duties.

(2) Where permission is granted under subclause (1), the City, the CEO or an authorised person may prohibit the use by any other vehicle of that portion of the thoroughfare or parking facility to which the permission relates, for the duration of that permission.

PART 7—RESIDENTIAL PARKING PERMITS

7.1 Exemption for permit holders

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

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

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

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

7.2 Fees

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

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

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

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

7.3 Issue of permits

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

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

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

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

7.4 Maximum duration of residential parking permit or visitor parking permit

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

7.5 Validity of a permit

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

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

7.6 Revoking a permit

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

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

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

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

7.7 Removal of a permit from vehicle

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

7.8 Replacement of permit

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

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

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

7.9 Permit to be displayed

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

PART 8—MISCELLANEOUS

8.1 Removal of notices on vehicle

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

8.2 Unauthorized signs and defacing of signs

A person shall not without the authority of the City—

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

8.3 Signs shall be complied with

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

8.4 General provisions about signs

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

(2) The first 3 letters of any day of the week when used on a sign indicate that day of the week.

8.5 Special purpose and emergency vehicles

Notwithstanding anything to the contrary in this local law, the driver of—

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

8.6 Vehicles not to obstruct a public place

(1) A person shall not leave a vehicle, or any part of a vehicle, in a public place so that it obstructs the use of any part of that public place without the permission of the City or unless authorized under any written law.

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

PART 9—PENALTIES

9.1 Legal proceedings

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

9.2 Offences and penalties

(1) A person who breaches a provision of this local law commits an offence.

(2) An offence against any provision of this local law is a prescribed offence for the purposes of section 9.16(1) of the Act.

(3) Any person who commits an offence under this local law shall be liable, upon conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

(4) The amount appearing in the final column of Schedule 2 directly opposite a clause specified in that Schedule is the modified penalty for an offence against that clause.