

LOCAL GOVERNMENT ACT 1995

SHIRE OF NORTHAM

PARKING LOCAL LAW 2019

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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 Northam resolved on 2019 to make the following local law.

PART 1 – PRELIMINARY

1.1 Title Citation

This local law may be cited as the *Shire of Northam Parking Local Law 2019*.

1.2 Commencement

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

1.3 Purpose and effect

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

1.4 Repeal

The Shire of Northam Parking and Parking Facilities Local Law 2008 published in the Government Gazette on 16 September 2008 and all amendments thereto are hereby repealed on the day this local law comes into operation.

1.5 Interpretation

In this local law unless the context otherwise requires:

Act means the *Local Government Act 1995*;

Authorised Person means a person authorised by the local government under section 9.10 of the Act, to perform any of the functions of an authorised person under the Act and 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 lane 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 has the meaning given to it in the *Caravan Parks and Camping Grounds Act 1995*

carriageway has the meaning given to it by the Code;

centre has the meaning given to it by the Code;

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

CEO means the Chief Executive Officer of the local government

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

Code means the *Road Traffic Code 2000*;

coin means any coin which is legal tender pursuant to the *Currency Act 1965 (Commonwealth)*;

commercial vehicle means –

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

continuous dividing line means –

- (a) a single continuous dividing line only;
- (b) a single continuous dividing line to the left or right of a broken dividing line; or
- (c) parallel continuous dividing lines;

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

disability parking permit has the meaning given in the *Local Government (Parking for People with Disabilities) Regulations 2014*;

district means the district of the local government;

driver has the meaning given to it in the *Road Traffic (Administration) Act 2008*;

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 has the meaning given to it by the Code;

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

fire hydrant has the meaning given to it by the Code;

fee means the prescribed amount of legal tender that the local government may impose and determine from time to time for the stopping or parking of a vehicle under and in accordance with sections 6.16 to 6.19 of the Act;

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 *Road Traffic (Administration) Act 2008*;

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

intersection has the meaning given to it by the Code;

keep clear marking has the meaning given to it by the Code;

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 has the meaning given to it by the Code;

local government means the Shire of Northam;

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

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

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

metered space means a section or part of a metered zone that is adjacent to a parking meter and that is marked or defined by painted lines or by metallic studs or similar devices for the purpose of indicating where a vehicle may be parked on payment of a fee or charge;

metered zone means any thoroughfare or reserve, or part of any thoroughfare or reserve, in which parking meters regulate the parking of vehicles;

motorcycle has the meaning given to it by the Code;

motor vehicle has the meaning given to it by the *Road Traffic (Administration) Act 2008*;

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

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;

obstruct means to prevent, hinder, or impede the normal passage of any vehicle, wheelchair, perambulator or pedestrian and '*obstruction*' has a corresponding meaning;

occupier has the meaning given to it by the Act;

owner means

- (a) where used in relation to a vehicle licensed under the Road Traffic Act, means the person in whose name the vehicle has been registered under that 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;

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

park has the meaning given to it by the Code;

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

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

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

parking facilities includes land, buildings, shelters, metered zones, metered spaces, parking stalls and other facilities open to the public generally for the parking of vehicles with or without charge and signs, notices and facilities used in connection with the parking of vehicles;

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

parking meter includes the stand on which the meter is erected and a ticket issuing machine;

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

parking ticket means a ticket which is issued from a ticket issuing machine and which authorises the parking of a vehicle and includes the date and time of which the authorisation expires, whether or not the payment of a fee is required;

parking region means the area described in Schedule 1;

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

parking 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 parking of multiple vehicles;

path has the meaning given to it by the Code;

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

pedestrian has the meaning given to it by the Code;

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

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

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

property line means the boundary between the land comprising a road and the land that abuts that road;

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 which is an 'otherwise unvested facility' within section 3.53 of the Act; or
- (c) which is an 'otherwise unvested facility' within the meaning of section 3.53 of the Act;

right of way means a portion of land that is —

- (a) shown and marked 'Right of Way' or 'R.O.W', or coloured or marked in any other way to signify that the portion of land is a right of way, on any plan or diagram deposited with the Registrar of Titles that is subject to the provisions of section 167A of the *Transfer of Land Act 1893*;
- (b) shown on a diagram or plan of survey relating to a subdivision that is created as a right of way and vested in the Crown under section 152 of the *Planning and Development Act 2005*; or
- (c) shown and marked as a right of way on a map or plan deposited with the Registrar of Titles and transferred to the Crown under the *Transfer of Land Act 1893*, but does not include—
 - (i) a private driveway; or
 - (ii) a right of way created by easement between two parties;

road means a highway, lane, thoroughfare or similar place which the public are allowed to use and includes all of the land including the nature strip and paths appurtenant thereto lying between the property lines abutting the road;

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

Road Traffic (Administration) Act means the *Road Traffic (Administration) Act 2008*;

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 has the meaning given to it by the Code;

symbol includes any symbol specified by the Code;

taxi has the meaning given to it by the Code;

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

thoroughfare has the meaning given to it by the Act;

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

ticket 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 shall be lawful to remain parked in a metered space to which the machine is referable;

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

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

traffic includes the passage of both vehicles and pedestrians;

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

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

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

trailer has the meaning given to it by the Code;

truck has the meaning given to it by the Code;

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

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

vehicle has the meaning given to it by the *Road Traffic (Administration) Act 2008*;

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.

1.6 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) A reference to a parking station or ticket parking area includes a reference to a part of the parking station or ticket parking area.
- (3) 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 1974*, *Road Traffic (Administration) Act 2008*, *Road Traffic Code 2000* or in the *Local Government Act 1995*, then the term shall have the meaning given to it in those Acts or the Code.

1.7 Application and pre-existing signs

- (1) Subject to subclause (2), this local law applies to the parking region.
- (2) This local law does not apply to a parking facility or a parking station that is not occupied by the local government, unless the local government and the owner or occupier of that facility or station have agreed in writing that this local law will apply to that facility or station.
- (3) The agreement referred to in subclause (2) may be made on such terms and conditions as the parties may agree.
- (4) Where a parking facility or a parking station is identified in Schedule 3, 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, 4 and 5 do not apply to a bicycle parked at a bicycle rail or bicycle rack.

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) emergency vehicles;
- (e) special purpose vehicles;
- (f) taxis; and
- (g) 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 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 BAYS, PARKING STATIONS AND PARKING AREAS

2.1 Determination of parking bays, parking stations and parking areas

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

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

2.2 Vehicles to be within a parking bay

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

2.3 Parking where fees are payable

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

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

2.4 Parking restrictions in fee paying zones

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

2.5 Parking in a ticket parking zone or ticket parking area

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

- (a) purchasing or obtaining a ticket, from the ticket machine for that area, which remains valid for the period the vehicle is parked; and
- (b) displays the ticket inside the vehicle in a prominent position, in such a manner as to be clearly visible from the front of the vehicle at all times while that vehicle remains parked in that ticket parking zone, ticket parking area or parking station.

2.6 Methods of payment

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

2.7 Reserved fee paying zones

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

2.8 Use of counterfeit or altered parking tickets

A person must not –

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

PART 3 - PARKING GENERALLY

3.1 Restrictions on parking in particular areas

- (1) A person must not park a vehicle in a parking station or part of a parking station or parking area–
 - (a) if by a sign it is set apart for the parking of vehicles of a different class;
 - (b) if by a sign it is set apart for the parking of vehicles by persons of a different class; or
 - (c) during any period when the parking of vehicles is prohibited by a sign, but does not include a clearway.
- (2) Unless a sign or road markings indicate otherwise a person must not park any portion of a vehicle in a parking station or parking area–
 - (a) for more than the maximum time specified;
 - (b) in a bay marked 'M/C' unless it is a motor cycle without a sidecar or a trailer;

- (c) so as to obstruct an entrance to or an exit from a parking station, or an access way within a parking station; or
 - (d) park or attempt to park a vehicle in a parking bay in which another vehicle is parked.
- (3) Notwithstanding the provisions of subclause (2)(a), a person may park a vehicle in a permissive parking bay or station (except in a parking area for people with disabilities) for twice the length of time allowed, provided that—
- (a) the person's vehicle displays a current disability parking permit sticker; and
 - (b) a disabled person to whom that disability parking permit sticker relates, is either the driver or a passenger in the vehicle.
- (4) A person must not park a vehicle or permit a vehicle to remain parked in a parking facility controlled by a sign stating 'Authorised Vehicles Only', without —
- (a) a valid permit displayed inside the vehicle that must be displayed in a prominent position, in such a manner as to be clearly visible from the front of the vehicle; or
 - (b) prior written permission of the local government or an Authorised Person to park within the area has been obtained and the written permission is displayed in a prominent position, in such a manner as to be clearly visible from the front of the vehicle to indicate it has authorisation to park.

3.2 Parking and stopping on a carriageway

- (1) Subclauses (4)(b), (d), (h) and (i) do not apply to a bus which stops in a bus embayment.
- (2) A person parking a vehicle on a carriageway other than in a parking bay must park it—
 - (a) in the case of a two-way carriageway, so that it is as near as practicable to and parallel with, the left boundary of the carriageway and headed in the direction of the movement of traffic on the side of the carriageway on which the vehicle is parked;
 - (b) in the case of a one-way carriageway, so that it is as near as practicable to and parallel with either boundary of the carriageway and headed in the direction of the movement of traffic;
 - (c) so that at least 3 metres of the width of the carriageway lies between the vehicle and the farther boundary of the carriageway, or 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 motor cycle without a trailer, or a bicycle parked in accordance with this local law;
 - (e) so that it does not obstruct any vehicle on the carriageway, or
 - (f) so that the vehicle is not faced against the normal flow of traffic on that side of the carriageway;
 unless otherwise indicated on a parking control sign or markings on the carriageway.
- (3) A person must not stop a vehicle on a carriageway or any part of a carriageway —
 - (a) if the parking of a vehicle is prohibited at all times by a sign; or
 - (b) during a period in which the parking of vehicles on that part is prohibited by a sign.

- (4) A person must not stop a vehicle on a carriageway so that any portion of the vehicle—
- (a) is on or adjacent to a median strip;
 - (b) obstructs a private drive or carriageway or so close as to deny a vehicle reasonable access to or egress from the right of way, private drive or carriageway;
 - (c) is alongside or opposite any excavation, works, hoarding, scaffolding or obstruction on the carriageway if the vehicle would obstruct traffic;
 - (d) is on or within 10 metres of any portion of a carriageway bounded by a traffic island;
 - (e) is on any pedestrian crossing;
 - (f) is within 10 metres of the departure side or within 20 metres of the approach side of a children's crossing or pedestrian crossing;
 - (g) is within 20 metres of either the approach side or the departure side of the nearest rail of a railway level crossing;
 - (h) is between the boundaries of a carriageway and any double longitudinal line consisting of two continuous dividing lines or a continuous dividing line and a broken or dotted line, unless there is a distance of at least 3 metres clear between the vehicle and the nearer continuous dividing line; or
 - (i) is contrary to a clearway sign referable to that part,
- unless the person stops the vehicle at a place on a length of carriageway, or in an area, to which a parking control sign applies and the person is permitted to stop at that place under this local law.
- (5) A person must not stop a vehicle on a carriageway –
- (j) if the parking of a vehicle is prohibited at all times by a sign; or
 - (k) during a period in which the parking of vehicles on that part is prohibited by a sign;
 - (l) or in an area to which a 'no stopping' sign applies;
 - (m) marked with a continuous yellow edge line;
 - (n) if by a sign it is set apart for the parking of vehicles of a different class; or
 - (o) if by a sign it is set apart for the parking of vehicles by persons of a different class,
- unless the person stops the vehicle at a place on a length of carriageway, or in an area, to which a parking control sign applies and the person is permitted to stop at that place under this local law.
- (6) A person must not park a vehicle on a length of carriageway or in an area to which a 'no parking' sign applies, unless the driver—
- (a) is dropping off, or picking up, passengers or goods;
 - (b) does not leave the vehicle unattended; and
 - (c) completes the dropping off, or picking up, of the passengers or goods within 2 minutes of stopping and drives on.

3.3 When parallel and right-angled parking apply

- (1) Where a traffic sign associated with a parking area is not inscribed with the words 'angle parking' (or with an equivalent symbol depicting this purpose), then unless a sign associated with the parking area indicates, or marks on the carriageway indicate, that vehicles have to park in a different position, where the parking area is –
 - (a) adjacent to the boundary of a carriageway, a person parking a vehicle in the parking area must park it as near as practicable to and parallel with that boundary; or
 - (b) at or near the centre of the carriageway, a person parking a vehicle in that parking area must park it at approximately right angles to the center of the carriageway.
- (2) Clause 3.3(1)(a) does not apply to the rider of a motor cycle if the rider positions the motor cycle so at least one wheel is as near as practicable to the far left or far right side of the carriageway.

3.4 When angle parking applies

- (1) This clause does not apply to –
 - (a) a passenger vehicle or a commercial vehicle with a mass including any load, of over three tonnes; or
 - (b) a person parking a motor cycle without a trailer.
- (2) Where a sign associated with a parking area is inscribed with the words 'angle parking' (or with an equivalent symbol depicting this purpose), a person parking a vehicle in the area must park the vehicle at an angle of approximately 45 degrees to the centre of the carriageway unless otherwise indicated by the inscription on the parking sign or marks on the carriageway that indicate the required angle of parking.
- (3) Where a sign associated with an angle parking area is inscribed with the words 'reverse in' a person parking a vehicle in the area must reverse the vehicle into the parking bay so that the vehicle is driven forward when it is leaving the parking bay.

3.5 Parking of heavy and long vehicles

- (1) A person must not park a heavy or long vehicle –
 - (a) on a carriageway for any period exceeding one hour, unless actively engaged in the loading or unloading of goods; or
 - (b) on a carriageway except on the shoulder of the carriageway, or in a truck bay or other area set aside for the parking of heavy or long vehicles.
- (2) Nothing in this clause mitigates the limitations or condition imposed by any other clause in this local law, any other written law or traffic sign relating to the parking or stopping of vehicles.

3.6 Authorised Person may order vehicle on thoroughfare to be moved

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

3.7 Authorised Person

- (1) An Authorised Person may –
 - (a) mark the tyres of a vehicle parked in a parking facility with chalk or any other non-indelible substance for a purpose connected with or arising out of his or her duties or powers;
 - (b) take a valve stem reading of the vehicle;
 - (c) record vehicle registration numbers; and
 - (d) place a notice or parking fact sheet upon a vehicle.
- (2) A person must not remove a mark made by an Authorised Person so that the purpose of the affixing of such a mark is defeated or likely to be defeated.
- (3) An Authorised Person may in the course of performing his duties, park contrary to the provisions of a parking control sign for the minimum amount of time required to complete those duties.

3.8 No movement of vehicles to avoid time limitation

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

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

A person must not park a vehicle on any portion of a thoroughfare–

- (a) for the purpose of exposing it for sale or hire;
- (b) if that vehicle is not licensed under the Road Traffic Act 1974;
- (c) if that vehicle is a trailer or a caravan unattached to a motor vehicle;
- (d) for the purpose of effecting repairs to it, other than the minimum repairs necessary to enable the vehicle to be moved to a place other than a thoroughfare.

3.10 Parking on private land

- (1) In this clause, a reference to 'land' does not include land –
 - (a) which belongs to the local government;
 - (b) of which the local government is the management body under the Land Administration Act 1997; or
 - (c) which is an 'otherwise unvested facility' within section 3.53 of the Act.

- (2) A person must not park a vehicle on private land without the consent of the owner or occupier of the land on which the vehicle is parked.
- (3) Where the owner or occupier of private land, by a sign referable to that land or otherwise, consents to the parking of vehicles of a specified class or classes on the land for a limited period, a person must not park a vehicle on the land otherwise than in accordance with the consent.
- (4) The owner or occupier of private land must not permit a private property parking enforcement agreement sign to remain erected and visible to the public if the owner or occupier no longer has a current private property parking enforcement agreement with the local government.

3.11 Parking on reserves

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

3.12 Right of ways

A person must not stop or park a vehicle at any time in a right of way so as to cause an obstruction or so as to prevent a vehicle reasonable access to or egress from the right of way.

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

- (1) Where by a sign the parking of vehicles is permitted for a limited time on a portion of a thoroughfare or parking facility, the local government 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 sub-clause (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.
- (3) An Authorised Person may, in the course of performing his or her duties, park a vehicle contrary to a sign or other restriction in this local law for the minimum amount of time required to complete those duties.

3.14 Event parking

- (1) For the purposes of this clause an event means a planned activity or occurrence involving the gathering of people, approved by the local government which warrants the setting aside of any parking facilities for the temporary parking of vehicles between specific times and dates and where Local Public Notice of at least 14 days is provided prior to the event.
- (2) The local government may by use of signs establish additional parking facilities on any reserve or local government property, for any period specified on the signs, for the parking of vehicles by persons attending an event.
- (3) A fee payable for event parking may be determined and imposed by the local government.

- (4) A person must not stop or park a vehicle on a reserve or local government property set aside under sub-clause (1) during the period for which it is set aside unless:
 - (a) a ticket purchased from the local government with respect to the event 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; or
 - (b) such alternative method of payment for parking as may be authorised by the local government is made; or
 - (c) approval is otherwise granted by the local government.

PART 4 - PARKING AND STOPPING IN ZONES FOR PARTICULAR VEHICLES

4.1 Stopping at intersections

- (1) A person must not stop any portion of a vehicle on a thoroughfare within 20 metres from the nearest point of an intersecting carriageway at an intersection with traffic-control signals, unless the person stops at a place on a length of thoroughfare, or in an area, to which a parking control sign applies and the person is permitted to stop at the place under this local law.
- (2) A person must not stop any portion of a vehicle on a thoroughfare so that any portion of the vehicle is within 10 metres of the prolongation of the nearer edge of any intersecting carriageway (without traffic-control signals) intersecting that carriageway on the side on which the vehicle is stopped, unless the person stops—
 - (a) at a place on the thoroughfare, or in an area, to which a parking control sign applies and the person is permitted to stop at that place under this local law; or
 - (b) if the intersection is a T- intersection – along the continuous side of the continuing carriageway at the intersection.

4.2 Stopping in a loading zone

A person must not stop a vehicle in a loading zone –

- (a) unless it is a commercial vehicle continuously engaged in the picking up or setting down of goods;
- (b) (if no time is indicated on the sign). for longer than a time indicated on the loading zone sign; or
- (c) for longer than 30 minutes.

4.3 Stopping in a taxi zone or a bus zone

- (1) A person must not stop a vehicle in a taxi zone, unless that person is driving a taxi.
- (2) A person must not stop a vehicle in a bus zone unless that vehicle is a bus that is permitted to stop at the bus zone by information on or with the 'bus zone' sign applying to the bus zone.

4.4 Stopping in a mail zone

A person must not stop a vehicle in a mail zone unless authorised under a written law.

4.5 Construction site vehicle parking

In this clause unless the context otherwise requires—

builder has the meaning given to it in the *Building Act 2011*;

construction site means any land subject to development;

construction site vehicle means a *commercial vehicle, truck heavy or long vehicle*;

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

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

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

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

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

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

- (d) if the local government or a person authorised by the local government requires access to or near the place where the work zone is situated, for the purposes of carrying out works in or near the vicinity of that place.
- (7) A person must not stop or park a vehicle in a work zone unless the person is driving a vehicle that is –
 - (a) engaged in construction work in or near the zone; or
 - (b) permitted to stop in the works zone in accordance with this local law.

4.6 Other limitations in zones

A person must 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 5 - OTHER PLACES WHERE STOPPING IS RESTRICTED

5.1 Stopping in a shared zone

A person must not stop a vehicle in a shared zone unless –

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

5.2 Double parking

- (1) A person must not stop a vehicle so that any portion of the vehicle is between any other stopped vehicle and the centre of the carriageway.
- (2) This clause does not apply to –
 - (a) a vehicle stopped in traffic; or
 - (b) a vehicle angle parking on the side of the carriageway or in a median strip parking area, in accordance with this local law.

5.3 Stopping near an obstruction

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

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

A driver must not stop in –

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

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

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

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

5.6 Stopping on crests and curves

- (1) Subject to subclause (2), a person must not stop a vehicle on, or partly on, a carriageway within the parking region, in any position where it is not visible to the driver of an overtaking vehicle, from a distance of 50 metres.
- (2) A person may stop a vehicle on a crest or curve on a carriageway within the parking region if the vehicle stops at a place on the carriageway, or in an area, to which a parking control sign applies and the vehicle is permitted to stop at that place under this local law.

5.7 Stopping near a fire hydrant

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

5.8 Stopping near a bus stop

- (1) A person must not stop a vehicle so that any portion of the vehicle is within 20 metres of the approach side of a bus stop or within 10 metres of the departure side of a bus stop, unless –
 - (a) the vehicle is a public bus stopped to take up or set down passengers; or
 - (b) the person stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the person is permitted to stop at that place under this local law.
- (2) In this clause a trailer attached to a public bus is deemed to be a part of the public bus.

5.9 Stopping on a traffic island

A person must not stop a vehicle (other than a bicycle) so that any portion of the vehicle is on a traffic island, unless the vehicle stops in an area to which a parking control sign applies and the vehicle is permitted to stop at that place under this local law.

5.10 Stopping on a verge

- (1) A person must not stop –
 - (a) a vehicle (other than a bicycle);
 - (b) a commercial vehicle, a bus, a trailer, a boat, a caravan, a truck or any other vehicle with a **GVM** in excess of 2.5 tonnes or 7.5 metres in length; or
 - (c) a vehicle during any period when stopping of vehicles on that verge is prohibited by a sign adjacent and referable to that verge,so that any portion of it is on a verge.
- (2) Subclause (1)(a) does not apply to the driver if he or she is the owner or occupier of a premises that abuts the verge or is a person authorised by the owner or occupier of those premises to park the vehicle so that any portion of it is on the verge.
- (3) Subclause (1)(b) does not apply to a commercial vehicle when it is being loaded or unloaded with reasonable expedition with goods or materials collected from or delivered to the premises that abuts the verge on which the commercial vehicle is parked, (but in any event not for any period exceeding 3 consecutive hours between the hours of 7am and 6pm Western Australian Standard Time and not at any other time), provided no obstruction is caused to the passage of any other vehicle or person using a carriageway or path.
- (4) Notwithstanding subclause (2) and (3), clause 4.1 applies.

5.11 Driving over a residential verge

Unless, otherwise approved or permitted by the local government, a person must not drive a vehicle across a footpath or verge adjacent to a length of carriageway to access a private driveway, private property, an adjacent verge or local government property, unless using an approved crossover.

5.12 Obstructing access to a footpath, path or crossover

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

5.13 Stopping near a public letter box

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

5.14 Stopping on a carriageway with a bicycle parking sign

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

5.15 Stopping on a carriageway with motor cycle parking sign

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

5.16 Stopping on a median strip

A person must not stop a vehicle (other than a bicycle) so that any portion of the vehicle is on a median strip, unless the vehicle stops in an area to which a parking control sign applies and the vehicle is permitted to stop at that place under this local law.

5.17 Eating Areas in parking bays

A person must not stop a vehicle in a parking bay 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.

PART 6 - PARKING PERMITS

6.1 Interpretation

In this part of this Local Law, unless the context requires otherwise –

Commercial Parking Permit means a permit issued by the local government pursuant to clause 6.2(3).

dwelling unit means premises lawfully used for self-contained living quarters.

eligible person means the owner of a vehicle registered under the Road Traffic Act at the address shown on the application for the parking permit, where used:

- (a) in relation to an application for a residential parking permit means a single house occupier, a unit occupier, a unit owner;
- (b) in relation to an application for a visitor's parking permit means –
 - (i) a single house occupier;
 - (ii) a strata company; or
 - (iii) a unit owner of a residential unit which is not a strata lot;
- (c) in relation to an application for a commercial parking permit means the proprietor of a commercial business.

Residential Parking Permit means a permit issued by the local government pursuant to Clause 6.2(1).

Residential Unit means a dwelling unit which is part of a building adjacent to a part of a road on which the stopping or parking of vehicles is prohibited for more than a specified period and which building contains –

- (a) 2 or more dwelling units with or without any non-residential units; or
- (b) 1 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 means a body corporate constituted under section 32 of the *Strata Titles Act 1985*.

unit occupier means an occupier of a residential unit but does not include a unit owner.

unit owner means a person who is the owner of a residential unit.

Visitors Parking Permit means a permit issued by the local government pursuant to Clause 6.2(2).

6.2 Issue of a parking permit

- (1) The local government may upon a written application of an eligible person issue a residential parking permit in the prescribed form approved by the local government and for the prescribed fee.
- (2) The local government may upon a written application of an eligible person issue a visitor's parking permit in the prescribed form approved by the local government and for the prescribed fee.

- (3) The local government may upon a written application of an eligible person issue a commercial parking permit in the prescribed form approved by the local government and for the prescribed fee.
- (4) The local government's power to issue, replace and revoke permits under this Part may be exercised by an Authorised Person.

6.3 Validity of a parking permit

Every parking permit as the case may be, must cease to be valid upon –

- (a) On 31 December of the year of expiry of a period of either 1 or 3 years (depending upon the permit issued) from and including the date on which it is issued;
- (b) the holder of the permit ceasing to be an eligible person;
- (c) the revocation of the permit by the local government pursuant to clause 6.4; or
- (d) the replacement of any permit by a new permit issued by the local government pursuant to clause 6.2.

6.4 Revoking a parking permit

- (1) The local government may revoke a parking permit if the permit holder breaches any of the conditions for its use or the prerequisites for the issue of the permit no longer apply.
- (2) 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 a notice of intention in the prescribed form approved by the local government requiring that person to notify the local government of any reason why that permit should not be revoked.
- (3) The local government must give notice referred to in subclause (2) by serving a notice of intention on the eligible person to whom the permit was issued.
- (4) If within 7 days after the date of receipt of the notice of intention referred to in subclause (2) the eligible person to whom the permit was issued –
 - (i) fails to give the local government notice in writing of any reason why the permit should not be revoked;
 - (ii) 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.
- (5) For the purpose of subclause (2) the date of receipt of the notice must be the date the notice was served.
- (6) The local government must give notice in the prescribed form of the revocation by serving a notice of revocation on the eligible person to whom the permit was issued.

6.5 Where a parking permit applies

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

- (b) if the permit is displayed inside the vehicle in a prominent position, in such a manner as to be clearly visible from the front of the vehicle;
 - (c) if the permit was validly issued and has not expired; and
 - (d) if the permit holder occupies the premises in respect of which the permit is issued.
- (2) A person must 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 permit is displayed inside the vehicle in a prominent position, in such a manner as to be clearly visible from the front of the vehicle and able to be read by an Authorised Person at all times while the vehicle remains stopped or parked in the zone.

6.6 Return of a parking permit to the local government

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

6.7 Counterfeit or altered parking permit

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

6.8 Replacement of a parking permit

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

6.9 Discretionary Authority

Notwithstanding any other provisions in this local law or a policy adopted by the local government which restricts the number of parking permits that may be issued, the local government may approve the issue of additional parking permits to any eligible person on such terms and conditions as the local government sees fit.

6.10 Fees payable

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

PART 7 - MISCELLANEOUS

7.1 Impersonating an Authorised Person

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

7.2 Removal of notices from a vehicle

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

7.3 Unauthorised signs and defacing signs

A person must 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.

7.4 Contravention of signs

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

7.5 General provisions about signs

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

7.6 Damage to parking areas and associated infrastructure

- (1) A person must not, nor attempt to, remove, damage, deface, misuse or interfere with any part of a parking station, parking facility, parking area or any infrastructure appurtenant to those areas.
- (2) A person must not operate or attempt to operate a ticket issuing machine or pay station except in accordance with the operating instructions appearing on those devices.

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

7.8 Vehicles not to obstruct a public place

- (1) A person must not park or leave a vehicle, or any part of a vehicle, in a public place so that it obstructs the use of any part of that public place without the permission of the local government or unless authorised under any written law.
- (2) A vehicle which is parked in any portion of a public place where vehicles may be lawfully parked, is deemed to cause an obstruction and may be impounded where –
 - (a) the vehicle is parked for any period exceeding 24 hours;
 - (b) the vehicle is so parked during any period in which the parking of vehicles is prohibited or restricted by a sign; or
 - (c) the vehicle is abandoned, unregistered or disused.

PART 8 - ENFORCEMENT

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 is to be liable, upon conviction, to a penalty not less than \$1000 and not exceeding \$5,000 and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.
- (4) The amount appearing in the final column of Schedule 2 directly opposite a clause specified in that Schedule is the modified penalty for an offence against that clause.

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

SCHEDULE 1 - PARKING REGION

[Clause 1.7(1)]

The parking region is the whole 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

[Clause 8.1(4)]

Item No.	Clause No.	Nature of offence	Modified Penalty \$
1.	2.2(1)(b)	Failure to park wholly within a parking bay	80
2.	2.2(1)(c)	Parking against the flow of traffic	80
3.	2.2(3)	Failure to park wholly within a parking area	80
4.	2.3(a)	Parking in fee paying area contrary to instructions	80
5.	2.3(b)	Failure to pay the required fees	80
6.	2.4	Parking contrary to signage where fees are payable	80
7.	2.5(a)	Parking with an expired parking ticket	80
8.	2.5(b)	Failing to clearly display parking ticket	80
9.	2.7	Stopping a vehicle when stopping is not permitted within a fee paying zone	80
10.	2.8	Use counterfeit or altered parking ticket	250
11.	3.1(1)(a)	Parking wrong class of vehicle	80
12.	3.1(1)(b)	Parking by persons of a different class	80
13.	3.1(1)(c)	Parking during prohibited period, excluding clearways	80
14.	3.1(2)(a)	Parking in excess of maximum time	80
15.	3.1(2)(b)	Parking vehicle in a motor cycle only area	80
16.	3.1(2)(c)	Causing obstruction in a parking station	80
17.	3.1(2)(d)	Parking or attempting to park a vehicle in a parking bay occupied by another vehicle	80
18.	3.1(4)	Parking without permission in an area designated for 'Authorised Vehicles Only'	100
19.	3.2(2)(a)	Failure to park as near as practicable to the left side of the carriageway	80
20.	3.2(2)(b)	Failure to park as near as practicable to the side of the carriageway along a one way carriageway	80
21.	3.2(2)(c)	Parking within 3 metres of the farther carriageway boundary, median strip or a vehicle parked on the farther carriageway boundary	80
22.	3.2(2)(d)	Parking closer than 1 metre from another vehicle	80
23.	3.2(2)(e)	Causing obstruction to another vehicle on a carriageway	100
24.	3.2(f)	Parking a vehicle against the normal flow of traffic whilst on a carriageway	80
25.	3.2(3)(a)	Parking on a carriageway when prohibited at all times by a sign	80

Item No.	Clause No.	Nature of offence	Modified Penalty \$
26.	3.2(3)(b)	Parking on a carriageway when prohibited during a period by a sign	80
27.	3.2(4)(a)	Parking on or adjacent to a median strip	80
28.	3.2(4)(b)	Obstructs a private drive or carriageway or denies reasonable access to a private drive or right of way or carriageway	150
29.	3.2(4)(c)	Stopping beside excavation or obstruction so as to obstruct traffic	80
30.	3.2(4)(d)	Stopping within 10 metres of traffic island	80
31.	3.2(4)(e)	Stopping on pedestrian crossing	100
32.	3.2(4)(f)	Stopping a vehicle within 10 metres of departure side or 20 metres approach side of a children's or pedestrian crossing	100
33.	3.2(4)(g)	Stopping a vehicle within 20 metres of approach side or departure side of railway level crossing	80
34.	3.2(4)(h)	Stopping within 3 metres of a continuous dividing line markings	80
35.	3.2(4)(i)	Stopping in a clearway	150
36.	3.2(5)(a)	Stopping on a carriageway when prohibited by a sign	80
37.	3.2(5)(b)	Stopping on a carriageway when prohibited during a period by a sign	80
38.	3.2(5)(c)	Stopping contrary to a 'no stopping' sign	100
39.	3.2(5)(d)	Stopping within continuous yellow line	100
40.	3.2(5)(e)	Stopping in an area set aside for vehicles of a different class	100
41.	3.2(5)(f)	Stopping in an area set aside for persons of a different class	100
42.	3.2(6)	Parked in a 'no parking' area	100
43.	3.3(1)(a)	Failure to park as near as practicable or parallel with the boundary	80
44.	3.3(1)(b)	Failure to park at approximate right angle	80
45.	3.4(2)	Failure to park at an appropriate angle	80
46.	3.4(3)	Vehicle not reversed in to a parking bay in accordance with signage	80
47.	3.5(1)(a)	Parking a heavy or long vehicle on a carriageway in excess of 1 hour when not actively engaged in loading or unloading	80

Item No.	Clause No.	Nature of offence	Modified Penalty \$
48.	3.5(1)(b)	Parking a heavy or long vehicle not on the shoulder of a carriageway or other specified area	80
49.	3.6	Parking contrary to directions of an Authorised Person	250
50.	3.7(2)	Removing a mark made by an Authorised Person	250
51.	3.9(a)	Parking in thoroughfare for purpose of sale	80
52.	3.9(b)	Parking unlicensed vehicle in thoroughfare	80
53.	3.9(c)	Parking a trailer or caravan on a thoroughfare unattached to a motor vehicle	80
54.	3.9(d)	Parking in thoroughfare in order to effect repairs	80
55.	3.10(2)	Parking on private land without consent	100
56.	3.10(3)	Parking on land not in accordance with consent	100
57.	3.10(4)	Displaying a Private Property Parking Enforcement Agreement sign without a current Private Property Parking Enforcement Agreement	250
58.	3.11	Driving or parking on a reserve	150
59.	3.12	Vehicle stopped or parked in a right of way causing an obstruction	150
60.	3.13(2)	Parking without authorisation	100
61.	4.1(1)	Parking on thoroughfare within 20 metres of a signalled intersection	100
62.	4.1(2)	Parking on thoroughfare within 10 metres of an intersection	100
63.	4.2(a)	Not engaged in loading or unloading whilst stopped in a loading zone	80
64.	4.2(b),(c)	Stopping in a loading zone in excess of maximum time allowed	80
65.	4.3	Stopping unlawfully in a taxi zone or bus zone	80
66.	4.4	Stopping unlawfully in a mail zone	80
67.	4.5(8)	Unauthorised stopping in a construction site work zone	100
68.	5.1	Stopping unlawfully in a shared zone	80
69.	5.2(1)	Double parking	100
70.	5.3	Stopping near an obstruction	80
71.	5.4(a)	Stopping in a bus lane	80
72.	5.4(b)	Stopping in a transit lane	80
73.	5.4(c)	Stopping in a truck lane	80
74.	5.4(d)	Stopping in a bicycle lane	80

Item No.	Clause No.	Nature of offence	Modified Penalty \$
75.	5.5(1)	Stopping on a bridge, causeway or ramp	100
76.	5.5(2)	Stopping in a tunnel or underpass	100
77.	5.6(1)	Stopping on a crest or curve	100
78.	5.7	Stopping within 1 metre of a fire hydrant or fire plug	100
79.	5.8(1)	Stopping near a bus stop	100
80.	5.9	Stopping on a traffic island	100
81.	5.10(1)(a)	Stopping on a verge without consent of adjacent owner or occupier	100
82.	5.10(1)(b)	Stopping a commercial vehicle, bus, trailer, boat, caravan or truck on a verge	100
83.	5.10(1)(c)	Stopping on a verge contrary to a sign	100
84.	5.11	Unless, otherwise approved or permitted by the local government, a person must not drive a vehicle across a footpath or verge adjacent to a length of carriageway to access a private driveway, private property, an adjacent verge or local government property, unless using an approved crossover.	100
85.	5.12(1)	Causing an obstruction to a footpath or path	100
86.	5.12(2)	Stopped on or across a crossover to deny access to the adjacent premises or land	150
87.	5.12(3)	Stopped on or across a crossover obstructing a footpath	150
88.	5.13	Stopping within 3 metres of a public letter box	80
89.	5.14	Stopping in a bicycle parking area	80
90.	5.15	Stopping in a motor cycle parking area	80
91.	5.16	Stopping on a median strip	100
92.	5.17	Stopping in an eating area	100
93.	6.5(2)	Failure to display a valid Permit	80
94.	6.7	Use of a counterfeit or altered parking permit	250
95.	7.1	Impersonating an Authorised Person	250
96.	7.2	Removing a notice from a vehicle without authority	100
97.	7.3(a)	Unauthorised exhibition of a parking control sign	100
98.	7.3(b)	Misuse or deface a sign exhibited by the local government	100
99.	7.3(c)	Affix anything to a sign exhibited by the local government	100

Item No.	Clause No.	Nature of offence	Modified Penalty \$
100.	7.6(1)	Cause or attempting to cause damage to a parking area or associated infrastructure	500
101.	7.6(2)	Operating a ticket machine or pay station not in accordance with instructions	100
102.	7.8(1)	Leaving a vehicle so as to obstruct a public place	150
103.	-	All other offences not specified	100

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**SCHEDULE 3
DEEMED PARKING STATIONS
PARKING LOCAL LAW 2019**

RELEVANT INFORMATION TO BE INSERTED BY THE SHIRE

Dated this.....day of2019

The Common Seal of the)
Shire of Northam was)
affixed by authority of a)
resolution of the Council)
in the presence of)

.....
C R ANTONIO
President

.....
JASON WHITEAKER
Chief Executive Officer

DRAFT