

## LOCAL GOVERNMENT ACT 1995

*City of Nedlands*

## PARKING AMENDMENT LOCAL LAW 2023

Under the powers conferred by the *Local Government Act 1995*, and all other powers enabling it, the Council of the City of Nedlands resolved on 28 November 2023 to make the following local law—

**1. Citation**

This local law is cited as the *City of Nedlands Parking Amendment Local Law 2023*.

**2. Commencement**

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

**3. Principal Local Law**

This local law amends the *City of Nedlands Parking and Parking Facilities Local Law 2013* as published in the *Government Gazette* on 23 October 2013.

**4. Clause 1.6 amended**

In clause 1.6(1)—

- (a) The following definition is added in the appropriate place in alphabetical order—  
**bicycle lane** has the meaning given to it by the Code;
- (b) The definition of ‘carriageway’ is deleted and replaced with—  
**carriageway** has the same meaning given to it in the Code;
- (c) The following definition is added in the appropriate place in alphabetical order—  
**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;
- (d) The definition of ‘no parking area’ is deleted and replaced with—  
**no parking area** has the meaning given to it by the Code;
- (e) The definition of ‘no stopping area’ is deleted and replaced with—  
**no stopping area** has the meaning given to it by the Code;
- (f) The following definition is added in the appropriate place in alphabetical order—  
**painted island** has the meaning given to it by the Code;
- (g) The definition of ‘park’ is deleted and replaced with—  
**park** has the meaning given to it by the Code;
- (h) The definition of ‘parking area’ is deleted and replaced with—  
**parking area** has the meaning given to it by the Code;
- (i) The definition of ‘path’ is deleted and replaced with—  
**path** has the meaning given to it by the Code;
- (j) The definition of ‘thoroughfare’ is deleted and replaced with—  
**thoroughfare** has the meaning given to it by the Code;
- (k) The definition of ‘trailer’ is deleted and replaced with—  
**trailer** has the meaning given to it by the Code;

**5. Clause 2.6 amended**

Clause 2.6(b) is deleted and replaced with—

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

**6. Clause 4.2 amended**

Clause 4.2(3) is deleted and replaced with—

- (3) A person shall not park a vehicle—
  - (a) in a no parking area;
  - (b) in a parking area, except in accordance with both the signs associated with the parking area and with this local law;
  - (c) in a stall marked “M/C” unless it is a motor cycle without a sidecar or a trailer, or it is a bicycle; or
  - (d) within the head of a cul-de-sac.

**7. Clause 5.1 amended**

Clause 5.1(1) is deleted and replaced with—

- (1) A driver shall not stop on a part of a carriageway, or in an area, to which a “no stopping” sign applies or when a “clearway” restriction is in operation.

**8. Clause 5.13 replaced**

Clause 5.13 is deleted and replaced with—

**5.13 Stopping on a path, median strip, or traffic island**

The driver of a vehicle (other than a bicycle or an animal) shall not stop so that any portion of the vehicle is on a path, traffic island, painted island or median strip, unless the driver stops in an area, to which a sign applies and the driver is permitted to stop at that place by the sign.

#### 9. Clause 7.8 replaced

Clause 7.8 is deleted and replaced with—

##### 7.8 Vehicles not to obstruct a public place

- (1) A person shall 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.

#### 10. Clause 9.1 amended

In clause 9.1(2), '\$250' is replaced with '\$500'.

#### 11. Schedule 2 replaced

The table in Schedule 2 is deleted and replaced with—

ITEM NO.	CLAUSE NO.	NATURE OF OFFENCE	MODIFIED PENALTY \$
1.	2.2(1), (2)	Failure to comply with signs	100
2.	2.3(a)	Unauthorised display, marking, setting up, exhibiting of a sign	100
3.	2.3(b)	Unauthorised removal, defacing or misuse of a sign	100
4.	2.3(c)	Unauthorised affixing anything to a sign	100
5.	3.2(1)(a)	Failure to park parallel to and as close to the kerb as practicable in a parking stall	100
6.	3.2(1)(b)	Failure to park wholly within parking stall	100
7.	3.2(1)(c)	Failure to park in the direction of the movement of traffic in a parking stall.	100
8.	3.2(4)	Failure to park wholly within parking area	100
9.	3.3(1)(a)	Causing obstruction in parking station	150
10.	3.3(1)(b)	Parking contrary to sign in parking station	100
11.	3.3(1)(c)	Parking contrary to directions of authorised person	150
12.	3.3(1)(d)	Parking or attempting to park a vehicle in a parking stall occupied by another vehicle	100
13.	4.2(1)(a)	Parking by vehicles of a different class	100
14.	4.2(1)(b)	Parking by persons of a different class	100
15.	4.2(1)(c)	Parking during prohibited period	100
16.	4.2(3)(a)	Parking in no parking area	100
17.	4.2(3)(b)	Parking contrary to signs or limitations	100
18.	4.2(3)(c)	Parking vehicle in motor cycle only area	100
19.	4.2(4)	Parking motor cycle in stall not marked 'M/C'	100
20.	4.2(5)	Parking without permission in an area designated for 'Authorised Vehicles Only'	120
21.	4.3(1)(a)	Failure to park on the left of two-way carriageway	120
22.	4.3(1)(b)	Failure to park on boundary of one-way carriageway	120
23.	4.3(1)(a) or 4.3(1)(b)	Parking against the flow of traffic	120
24.	4.3(1)(c)	Parking when distance from farther boundary less than 3 metres	120
25.	4.3(1)(d)	Parking closer than 1 metre from another vehicle	100
26.	4.3(1)(e)	Causing obstruction on a carriageway	150
27.	4.4(b)	Failure to park at approximate right angle	100
28.	4.5(2)	Failure to park at an appropriate angle	100
29.	4.6(3)(a)	Double parking	150

ITEM NO.	CLAUSE NO.	NATURE OF OFFENCE	MODIFIED PENALTY \$
30.	4.6(3)(b)	Denying access to private drive or right of way	150
31.	4.6(3)(c)	Parking beside excavation or obstruction so as to obstruct traffic	120
32.	4.6(3)(d)	Parking closer than 3 metres to single or double longitudinal lines	150
33.	4.6(3)(e)	Parking on an intersection	150
34.	4.6(3)(f)	Parking within 3 metres of public letter box	100
35.	4.6(3)(g)	Parking within 10 metres of an intersection	150
36.	4.6(4)	Parking vehicle within 10 metres of departure side of a children's crossing or pedestrian crossing	120
37.	4.6(5)	Parking vehicle within 20 metres of approach side of a children's crossing or pedestrian crossing	120
38.	4.6(6)	Parking vehicle within 20 metres of approach side or departure side of railway level crossing	120
39.	4.7	Parking contrary to direction of authorised person	150
40.	4.8(1), (2) or (3)	Moving vehicle to avoid time limitation	100
41.	4.9(a)	Parking in thoroughfare for purpose of sale	100
42.	4.9(b)	Parking unlicensed vehicle in thoroughfare	100
43.	4.9(c)	Parking a trailer or caravan on a thoroughfare	100
44.	4.9(d)	Parking in thoroughfare for purpose of repairs	100
45.	4.10(1)	Parking on land without consent	120
46.	4.10(2)	Parking on land not in accordance with consent	120
47.	4.11	Driving or parking on a reserve	120
48.	4.13(2)	Failure to park a motor cycle in a bay marked "M/C"	100
49.	5.1(1)	Stopping contrary to a "no stopping" or "clearway" sign	150
50.	5.1(2)	Parking contrary to a "no parking" sign	100
51.	5.1(3)	Stopping within continuous yellow edge lines	150
52.	5.2	Stopping unlawfully in a loading zone	120
53.	5.3	Stopping unlawfully in a taxi zone or bus zone	120
54.	5.4	Stopping unlawfully in a mail zone	120
55.	5.5	Stopping in a zone contrary to a sign	120
56.	5.6	Stopping in a shared zone	120
57.	5.7(1)	Double Parking	150
58.	5.8	Stopping near an obstruction	120
59.	5.9	Stopping on a bridge or tunnel	120
60.	5.10	Stopping on crests/curves etc	120
61.	5.11	Stopping near fire hydrant or fire plug	120
62.	5.12(1)	Stopping near bus stop	120
63.	5.13	Stopping on path, median strip or traffic island	120
64.	5.14(1)	Stopping on a verge without authorisation	120
65.	5.14(2)	Stopping on a verge contrary to a sign	120
66.	5.14(3)	Stopping a commercial vehicle or bus, or trailer or caravan unattached to a motor vehicle on a verge	120
67.	5.14(5)	Owner or occupier of premises adjacent to a verge charging a fee to authorise a person to stop on a verge	500
68.	5.15	Obstructing path, a driveway etc	120
69.	5.16	Stopping near public letter box	100
70.	5.17	Stopping heavy or long vehicles on carriageway	100
71.	5.18	Stopping in bicycle parking area	100
72.	5.19	Stopping in motor cycle parking area	100
73.	5.20	Stopping or parking a vehicle (other than a bicycle or motor cycle) in a parking stall approved for motor cycles	100
74.	6.9	Failure to display a valid permit	100
75.	6.10(3)	Stopping or parking contrary to requirements of a permit	100

ITEM NO.	CLAUSE NO.	NATURE OF OFFENCE	MODIFIED PENALTY \$
76.	7.3	Failure to comply with a lawful direction of an authorised person	150
77.	7.4	Failure to leave local government property when lawfully directed to do so by an authorised person	150
78.	7.5(2)	Removing or interfering with a lawful mark on a tyre	120
79.	7.6	Removing a notice on a vehicle	120
80.	7.8(1)	Leaving a vehicle in a public place or thoroughfare so as to cause an obstruction	150
81.	7.9	Causing or attempting to cause damage to local government property	500
82.	7.10(1)	Interfere or damage an electronic detection device	500
83.	7.10(2)	Interfere or damage a display panel or transmitting device	500

Dated 31st January 2024.

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

FIONA ARGYLE, Mayor.  
TONY FREE, Acting Chief Executive Officer.

---