

LOCAL GOVERNMENT ACT 1995

CAT ACT 2011

Shire of Dardanup

CATS LOCAL LAW 2023

Under the powers conferred by the *Cat Act 2011*, the *Local Government Act 1995* and all other powers enabling it, the Council of the Shire of Dardanup hereby records having resolved on the 22nd of November 2023 to adopt the following local law.

PART 1—PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Dardanup Cats Local Law 2023*.

1.2 Commencement

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

1.3 Application

This local law applies throughout the district.

1.4 Repeal

The Shire of Dardanup Keeping and Control of Cats Local Law 2014 as published in the *Government Gazette* on 22 August 2014 is hereby repealed.

1.5 Interpretation

In this local law unless the context otherwise requires—

Act means the *Cat Act 2011*;

animal welfare organisation means a non-government, not-for-profit organisation with the welfare of animals as their reason for existence;

applicant means the occupier of the premises who makes an application for a permit under this local law;

approved cat breeder has the meaning given to it in the Act;

authorised person means a person appointed by the local government to perform all or any of the functions conferred on an authorised person under this local law;

cat means an animal of the species *felis catus* or a hybrid of that species;

cat management facility has the meaning given to it in the Act;

cattery means any premises where 3 or more cats are boarded, housed or trained temporarily, usually for profit, and where the occupier of the premises is not the ordinary owner of the cats;

CEO means the Chief Executive Officer of the local government;

Council means the Council of the local government;

district means the district of the local government;

effective control in relation to a cat means any of the following methods—

- (a) held by a person who is capable of controlling the cat;
- (b) secured in a cage; or
- (c) any other means of preventing escape;

group dwelling (commonly referred to as a duplexes, villas or townhouses) means a dwelling that is 1 of a group of 2 or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above the other, except where special conditions of landscape or topography dictate otherwise, and includes a dwelling on a survey strata with common property;

local government means the Shire of Dardanup;

multiple dwelling (often called flats, apartments or units) meaning a dwelling in a group of more than 1 dwelling on a lot where any part of a dwelling is vertically above part of any other but—

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

nuisance means—

- (a) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;
- (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land;
- (c) interference which causes material damage to land or other property on the land affected by the interference;

owner has the meaning given to it in the Act;

permit means a permit issued by the local government under clause 4.7;

permit holder means a person who holds a valid permit issued under clause 4.7;

pet shop means a shop or place used for the conduct of a business, in the course of which an animal is kept for the purposes of sale;

premises has the meaning given to it in the Act;

public place has the meaning given to it in the Act;

RSPCA means the Royal Society for the Prevention of Cruelty to Animals (Inc) of Western Australia;

Schedule means a Schedule to this local law;

scheme means a town planning scheme of the local government made by it under the *Planning and Development Act 2005* and its antecedents;

single dwelling means a house that stands alone on its own parcel of land;

veterinary hospital means any premises at which veterinary surgery is practised at which animals receive treatment, nursing care, and other services required for the reception, treatment and care of animals suffering from disease or injury or in need of surgical or medical treatment or assistance;

veterinary clinic means any premises at which veterinary surgery is practised, but at which animals are not retained overnight;

veterinary surgery means the art and science of veterinary surgery and veterinary medicine, and, without limiting the generality of the foregoing, includes—

- (a) the examination of any animal for the purpose of the diagnosis of disease in, or injury to, that animal, or the conduct of tests, whether physiological or pathological, on any animal for diagnostic purposes; and
- (b) the provision of advice based upon diagnosis of disease of, or injury to, any animal; and
- (c) the surgical or medical treatment of any animal;
- (d) the giving of any anaesthetic to, or the performance of surgical operations on, any animal; and
- (e) the doing or performing of any act, matter, procedure, or thing that is prescribed pursuant to section 31 as forming part of the practice of veterinary surgery.

PART 2—CONTROL OF CATS

2.1 Cats in public places

- (1) A cat shall not be permitted in a public place if the cat is causing a nuisance.
- (2) If a cat is at any time in a public place in contravention of subclause (1)—
 - (a) the owner of the cat commits an offence; and
 - (b) an authorised person may seize and impound the cat and deal with the cat pursuant to the Act.

2.2 Cats in other places

- (1) A cat shall not be in any place that is not a public place if—
 - (a) consent to it being there has not been given by the occupier, or a person authorised to consent on behalf of the occupier; and/or
 - (b) the cat is causing a nuisance.
- (2) If a cat is at any time in a place in contravention of subclause (1)—
 - (a) the owner of the cat commits an offence; and
 - (b) an authorised person may seize and impound the cat and deal with the cat pursuant to the Act.

2.3 Cat in prohibited areas

- (1) A cat shall not be in any Cat Prohibited Area as identified in Schedule 3.
- (2) If a cat is at any time in a place in contravention of subclause (1)—
 - (a) the owner of the cat commits an offence; and
 - (b) an authorised person may seize and impound the cat and deal with the cat pursuant to the Act.

2.4 Direction to abate the nuisance of a cat

- (1) The owner of a cat, or any other person responsible for a cat, shall not allow the cat to create a nuisance.
- (2) Where a cat is creating a nuisance, the local government may give written notice to the owner of the cat or any other person apparently in control of the cat, requiring that person to abate the nuisance.
- (3) When a nuisance has occurred and a notice to abate the nuisance is given, the notice remains in force for the period specified by the local government on the notice which shall not exceed 28 days.
- (4) A person given a notice to abate the nuisance shall comply with the notice within the period specified in the notice.
- (5) If the owner fails to comply—
 - (a) the owner of the cat commits an offence; and
 - (b) an authorised person may seize and impound the cat and deal with the cat pursuant to the Act.

PART 3—CAT PROHIBITED AREAS

3.1 Designation of Cat Prohibited Areas

- (1) The Local Government may designate land as a Cat Prohibited Area by stating a description of the land in Schedule 3 after following the process for amending a local law pursuant to the *Local Government Act*.
- (2) The Local Government shall make available to the public the list of lands designated as Cat Prohibited Areas after consideration of any submissions received under subclause 3.1(4).
- (3) In designating land for the purpose of section 3.1 the Local Government shall have regard to clause 2.1.
- (4) The Local Government shall not designate a place or area to be a Cat Prohibited Area without first giving Local Public Notice of its intention to designate a place or area as a Cat Prohibited Area and considering any submissions received in response the Local Public Notice.
- (5) The Local Government shall publish an up to date list of lands or areas specified as Cat Prohibited Areas in a Local Public Notice after the consideration of any submissions received.

PART 4—PERMITS FOR KEEPING CATS

4.1 Interpretation

In this Part, and for the purposes of applying the definition of “cattery” in Part 4, a cat does not include a cat less than 6 months old.

4.2 Cats for which a permit is required

- (1) Subject to subclause (2) a person is required to have a permit—
 - (a) to keep 3 or more cats on any premises;
 - (b) to use any premises as a cattery; or
 - (c) to be an approved cat breeder.
- (2) A permit is not required under subclause (1) if the premises concerned are—
 - (a) a refuge of the RSPCA or any other animal welfare organisation;
 - (b) a cat management facility which has been established by and is maintained by the local government for the impounding of cats;
 - (c) a veterinary hospital;
 - (d) a veterinary surgery;
 - (e) a veterinary clinic; or
 - (f) a pet shop.

4.3 Transitional provisions

Where an owner has 3 or more cats on their premises prior to this local law coming into operation they are not required to have a permit; however they will not substitute or replace any cat (in excess of 2 cats) once that cat—

- (a) dies; or
- (b) is permanently removed from the premises.

4.4 Application for permit

An application for a permit under clause 4.2 shall be—

- (a) made in writing by an occupier of either a single or multiple dwelling or premises in relation to that single or multiple dwelling or premises;
- (b) in a form approved by the local government, describing and specifying the number of cats to be kept at the single or multiple dwelling or on the premises;
- (c) accompanied by the plans of the single or multiple dwelling or premises to which the application relates, to the specification and satisfaction of the local government;
- (d) accompanied by the consent in writing of the owner of the single or multiple dwelling or premises, where the occupier is not the owner of the single or multiple dwelling or premises to which the application relates;
- (e) accompanied by the application fee for the permit determined by the local government from time to time; and
- (f) accompanied by written evidence that either the applicant or another person who will have charge of the cats, will reside at the single or multiple dwelling or on the premises or, in the opinion of the local government, sufficiently close to the single or multiple dwelling or premises so as to maintain effective control of the cats and ensure their health and welfare.

4.5 Refusal to determine application

The local government may refuse to determine an application for a permit if it is not made in accordance with clause 4.4.

4.6 Factors relevant to determination of application

- (1) In determining an application for a permit the local government may have regard to—
 - (a) the physical suitability of the premises for the proposed use;

- (b) the suitability of the zoning of the premises under any scheme which applies to the premises for the use;
 - (c) the environmental sensitivity and general nature of the location surrounding the premises for the proposed use;
 - (d) the structural suitability of any enclosure in which any cat is to be kept;
 - (e) the likelihood of a cat causing a nuisance, inconvenience or annoyance to the occupiers of adjoining land;
 - (f) the likely effect on the amenity of the surrounding area of the proposed use;
 - (g) the likely effect on the local environment, including any pollution or other environmental damage which may be caused by the use;
 - (h) any submissions received under subclause (2) within the time specified in subclause (2); and
 - (i) such other factors which the local government may consider to be relevant in the circumstances of the particular case.
- (2) Where an application is received pursuant to clause 4.4 the local government shall—
- (a) consult with adjoining occupiers and landowners; and
 - (b) advise the adjoining occupiers and landowners that they may make submissions to the local government on the application for the permit within 14 days of receiving that advice, before determining the application for the permit.

4.7 Decision on application

- (1) The local government may—
- (a) approve an application for a permit, in which case it shall approve it subject to the conditions in clause 4.8, and may approve it subject to any other conditions it considers fit; or
 - (b) refuse to approve an application for a permit.
- (2) If the local government approves an application under subclause (1), then it shall issue to the applicant a permit in the form determined by the CEO.
- (3) If the local government refuses to approve an application under subclause (1), then it is to advise the applicant accordingly in writing.

4.8 Conditions

- (1) Every permit is issued subject to the following conditions—
- (a) each cat kept on the premises to be kept so as not to create a nuisance;
 - (b) the permit holder will provide adequate space for the exercise of the cats;
 - (c) the single or multiple dwelling or premises shall be maintained in good order and in a clean and sanitary condition;
 - (d) the written consent to the application for a permit of the adjoining multiple dwellings has been obtained;
 - (e) the written consent to the application from the owner of the premises, if not the applicant, has been obtained;
 - (f) without the consent of the local government, the permit holder will not substitute or replace any cat once that cat—
 - (i) dies; or
 - (ii) is permanently removed from the premises.
 - (g) those conditions contained in Schedule 1.
- (2) In addition to the conditions subject to which a permit is to be issued under this clause, a permit may be issued subject to other conditions, as the local government considers appropriate.
- (3) A permit holder who fails to comply with a condition of a permit commits an offence.

4.9 Duration of permit

Unless otherwise specified, in a condition on a permit, a permit commences on the date of issue and until any cat either—

- (a) dies;
- (b) is permanently removed from the premises; or
- (c) the permit holder ceases to reside at the dwelling or premises to which the permit relates.

4.10 Revocation

The local government may revoke a permit if the permit holder fails to observe any provision of this local law or a condition of a permit.

4.11 Permit not transferable

A permit is not transferable in relation to either the permit holder or the dwelling or premises.

PART 5—IMPOUNDING OF CATS

5.1 Cat management facility

- (1) The local government may establish and maintain a cat management facility or facilities, managed by an authorised person for the impounding of cats and the subsequent management of those cats under this local law.
- (2) The local government may determine from time to time—
 - (a) the times when a cat management facility will be open for the reception and release of cats; and
 - (b) times for the sale of cats from the facility.
- (3) An authorised person, referred to in subclause (1), is to be in attendance at the facility for the release of impounded cats at the times and on the days of the week as are determined by the CEO.

5.2 Impounding register

- (1) The local government is to keep a proper record of impounded cats (the “Impounding Register”).
- (2) The Impounding Register is to contain the following information about each impounded cat—
 - (a) if known, the breed and sex of the cat;
 - (b) the colour, distinguishing markings and features of the cat;
 - (c) if known, the name and address of the owner;
 - (d) the date, time and location of seizure and impounding;
 - (e) the name and address of the authorised person who impounded the cat and, if applicable, the person who delivered a cat for impounding;
 - (f) the reason for the impounding;
 - (g) a note of any direction made by an authorised person under clause 2.4 relating to the cat; and
 - (h) the date of the sale, release or destruction of the cat.
- (3) The Impounding Register is to be available for inspection by the public.

5.3 Charges and costs

The following are to be imposed and determined by the local government under sections 6.16 to 6.19 of the *Local Government Act 1995*—

- (1) the charges to be levied under section 31 of the Act relating to the seizure, impounding, caring, microchipping, sterilisation or destruction/disposal of a cat; and
- (2) the additional fee payable under section 31 of the Act where a cat is released or sold at a time or on a day other than those determined under clause 5.1(2).

5.4 Release of impounded cats

- (1) A claim for the release of a cat seized and impounded is to be made to the authorised person referred to in clause 5.1(1) or in the absence of that person, to the CEO.
- (2) The authorised person referred to in clause 5.1(1) is not to release a cat seized and impounded to any person unless that person has produced, to their satisfaction, evidence—
 - (a) of his or her ownership of the cat or of his or her authority to take delivery of it;
 - (b) that he or she is the person identified as the owner on a microchip implanted in the cat;
 - (c) of proof of registration of the cat in accordance with the Act;
 - (d) if a permit under Part 4 is required, proof of obtaining the permit.

PART 6—MISCELLANEOUS

6.1 Giving of a notice

A notice given under this local law may be given to a person—

- (a) personally;
- (b) by mail addressed to the person; or
- (c) by leaving it for the person at her or his address.

6.2 Content of a notice

The contents of a notice given under section 6.1 can be—

- (a) ascertained from the person directly;
- (b) recorded by the local government under the Act; or
- (c) ascertained from enquiries made by the local government.

PART 7—OBJECTIONS AND REVIEW

7.1 Objections and review

Any person who is aggrieved by the conditions imposed in relation to a permit, the revocation of a permit, or by the refusal of the local government to grant a permit may object to the decision under Division 1 of Part 9 of the *Local Government Act 1995*.

PART 8—OFFENCES AND PENALTIES

8.1 Offences

- (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) Any person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding \$5000, 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.

8.2 Prescribed offences

- (1) An offence against a clause specified in Schedule 2 is a prescribed offence for the purposes of section 84 of the Act.
- (2) The amount appearing directly opposite each such offence is the modified penalty in relation to that offence.

8.3 Forms

- (1) The issue of infringement notices, their withdrawal and the payment of modified penalties are dealt with in Division 4 of Part 4 of the Act.
- (2) An infringement notice given under section 62 of the Act is to be in the form of Form 6 of Schedule 1 of the *Cat Regulations 2012*.
- (3) A notice sent under section 65 of the Act withdrawing an infringement notice is to be in the form of Form 7 of Schedule 1 of the *Cat Regulations 2012*.

SCHEDULE 1—ADDITIONAL CONDITIONS APPLICABLE TO PARTICULAR PERMITS

[Clause 4.8]

A. Permit to use premises as a cattery

Additional conditions

- (1) All building enclosures must be structurally sound, have impervious flooring, be well lit and ventilated and otherwise comply with all legislative requirements;
- (2) There is to be a feed room, wash area, isolation cages and maternity section;
- (3) Materials used in structures are to be approved by the local government;
- (4) The internal surfaces of walls are, where possible, to be smooth, free from cracks, crevices and other defects;
- (5) All fixtures, fittings and appliances are to be capable of being easily cleaned, resistant to corrosion and constructed to prevent the harbourage of vermin;
- (6) Wash basin with the minimum of cold water to be available to the satisfaction of the Local Government;
- (7) The maximum number of cats to be kept on the premises stated on the permit is not to be exceeded;
- (8) A register is to be kept recording in respect of each cat the—
 - (a) date of admission;
 - (b) date of departure;
 - (c) breed, age, colour and sex; and
 - (d) the name and residential address of the owner;
- (9) The register is to be made available for inspection on the request of an authorised person;
- (10) Enclosures are to be thoroughly cleaned each day and disinfected at least once a week to minimise disease;
- (11) Any sick or ailing cat is to be removed from the premises or transferred to an isolation cage separated from other cats on the premises; and
- (12) Any other matter which in the opinion of the local government is deemed necessary for the health and wellbeing of any cat, or person, or adjoining premises or the amenity of the area (or any part thereof).

B. Permit for Approved Cat Breeder

Additional conditions

- (1) Required to keep records of all purchases and or transfers of cat/s for a period of 2 years, including but not limited to the purchasers' name and address, and the cat/s microchip number; and
 - (2) Premises may be inspected annually.
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SCHEDULE 2—MODIFIED PENALTIES

[Clause 8.2]

Item No.	Clause	Nature of offence	Modified Penalty \$
1	2.1(2)(a)	Cat in a public place causing a nuisance	\$200
2	2.2(2)(a)	Cat in a place that is not a public place without consent and/or is causing a nuisance	\$200
3	2.3(1)	Cat in any prohibited area	\$200
4	2.4(5)(a)	Failure to abate the nuisance	\$200
5	4.2(1)	Failure to obtain the proper permit for the keeping of 3 or more cats	\$200
6	4.8(3)	Failure to comply with the conditions of a permit	\$200

SCHEDULE 3—AREAS WHERE CATS ARE PROHIBITED ABSOLUTELY

[Clause 2.23]

Lot Number	Reserve Number	Common Name	Locality
6203	47036	Shier Rise Park	Burekup
647; 2011; 2012 and 2061 646 501 2010 644 and 645 2009 15; 121; 122; 443; 444; 2001; 2002; 2003; 2005; 2006 and 2023 2060 16 14	48979 48802 43939 52264 48829 52942 47537 49458 49457 47825	Millars Creek	Eaton Drive, Millbridge
641	48801	Hunter Park	Hunter Circle, Millbridge
90 and 123	48003	Cadell Park	Swan Avenue, Millbridge
5679	43641	Leicester Ramble Wetlands (including the possum sanctuary)	Eaton Drive, Eaton
874	48933	Peninsula Lakes Park	Holstein Drive, Millbridge
5536	25417	Watson Park (including the wetland area)	Pratt Road, Eaton
500; 501 and 4847	25417 and 24359	Collie River Foreshore (including the Western Ring Tail Possum area)	Pratt Road, Eaton
510	27516	Eaton Bowling Club	Eagle Crescent, Eaton
4880	25775	Duck Pond	Hamilton Road, Eaton
1; 2; 5 and 5680	42368	Lofthouse Park	Pecan Lane, Eaton
6	45537	Cottonwood Gardens	Cottonwood Gardens, Eaton
6097	46512	Hale Street Park	Hale Street, Eaton

Dated 22nd November 2023.

The Common Seal of the Shire of Dardanup was affixed under the authority of a resolution of Council in the presence of—

CR TYRRELL GUY GARDINER, Shire President.
MR ANDRIES STEFANUS SCHÖNFELDT, Chief Executive Officer.

LG401

LOCAL GOVERNMENT ACT 1995

CAT ACT 2011

City of Kalamunda

KEEPING AND CONTROL OF CATS AMENDMENT LOCAL LAW 2023

Under the powers conferred by the *Cat Act 2011*, the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Kalamunda resolved on 28 November 2023 to make the following local law.

PART 1—PRELIMINARY

1. Citation

This local law may be cited as the *City of Kalamunda Keeping and Control of Cats Amendment Local Law 2023*.

2. Commencement

The local law comes into operation on the day it is published in the *Government Gazette*.

3. Principal local law

This local law amends the *City of Kalamunda Keeping and Control of Cats Local Law 2023* as published in the *Government Gazette* on 10 May 2023.

4. Clause 3.9 Amended

In clause 3.9

(1) delete clause '(1) (b)'.
(2) renumber subclauses '(c)' '(d)' and '(e)' as subclauses '(b)', '(c)' and '(d)'.

Dated 28 November 2023.

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

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

MARGARET THOMAS, Mayor.
GARY TICEHURST, Acting Chief Executive Officer.



PERTH, FRIDAY, 15 DECEMBER 2023 No. 167 SPECIAL

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LOCAL GOVERNMENT ACT 1995

CITY OF PERTH

**PARKING AMENDMENT
LOCAL LAW 2023**

LOCAL GOVERNMENT ACT 1995

CITY OF PERTH

PARKING AMENDMENT LOCAL LAW 2023

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Perth resolved on 21 November 2023 to make this local law.

PART 1—PRELIMINARY

1.1 Short title

This is the *City of Perth Parking Amendment Local Law 2023*.

1.2 Commencement

This local law will come into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Principal local law amended

This local law amends the *City of Perth Parking Local Law 2017* as published in the *Government Gazette* on 28 February 2017.

PART 2—AMENDMENTS

2.1 Clause 1.6 ('Terms used') amended

In clause 1.6—

- (a) delete the definition of **bicycle crossing**.
- (b) replace the definition of **charter vehicle** with—

charter vehicle means a vehicle used in providing an on-demand charter passenger transport service or a tourism passenger transport service;
- (a) in the definition of **charter vehicle zone**, add the words 'by a sign' after the word 'designated';
- (b) replace the definition of **commercial vehicle** with—

commercial loading vehicle means a motor vehicle that is—

 - (a) constructed, adapted or fitted for the conveyance of goods; and
 - (b) used primarily for the conveyance of goods;
- (c) in the definition of **entrance ticket**, delete the words 'or token';
- (d) replace the definition of **fee collection machine** with—

fee collection machine means a machine installed in a parking station which—

 - (a) on the insertion of an entrance ticket and payment of the appropriate fee, if any, made by permitted means, issues an exit ticket;
 - (b) in the case of a machine installed in a parking station with a licence plate recognition system, on inputting of the vehicle's licence plate number and payment of the appropriate fee, if any, allows the relevant vehicle to exit the parking station; or
 - (c) otherwise on payment of the appropriate fee, if any, allows the vehicle in respect of which the fee, if any, has been paid to exit the parking station;
- (e) in the definition of **fee paying machine**, add the words ' , or any other machine installed in a parking facility which allows payment of any appropriate fee by permitted means' at the end of the definition and before the semicolon.
- (f) replace the definition of **fee paying zone** with—

fee paying zone means where a fee is payable is indicated by a sign where the vehicle is stopped or parked within the same—

 - (a) parking facility; or
 - (b) section of the road between two intersections or an intersection and head of a cul-de-sac as the case may be,

and includes—

- (c) a metred zone;
- (d) a ticket machine zone;
- (e) a mobile payment zone;
- (g) in the definition of **GVM**, replace the words ‘the Code’ with ‘the *Road Traffic (Vehicles) Act 2012*’;
- (h) in the definition of **loading zone**, replace the words ‘commercial vehicles’ with ‘commercial loading vehicles’;
- (i) in the definition of **parking facility**, add the words ‘roads, reserves,’ after the word ‘buildings’;
- (j) in the definition of **parking permit**, replace the words ‘and includes a written or electronic permit’ with ‘and includes written permits and e-permits’;
- (k) in the definition of **public bus zone**, add the words ‘by a sign’ after the word ‘designated’;
- (l) in the definition of **sign**, add the words ‘and includes an electronic sign which may alternate showing different information about the stopping and parking of vehicles’ after the words ‘restricting the stopping or parking of vehicles’;
- (m) in the definition of **special purpose vehicle**, delete the words ‘and also includes any commercial vehicle owned by the local government’;
- (n) replace the definition of **ticket issuing machine** with—

ticket issuing machine means a machine or device which, as a result of selecting a period for which no fee is payable or upon payment by any permitted means of the appropriate fee for any other period, issues a ticket showing the period during which it is lawful to remain parked in the area to which the machine or device relates;

- (o) in the definition of **truck bay**, add the words ‘by a sign’ after the word ‘designated’;
- (p) in the definition of **unattended**, delete the word ‘meters’ and replace with ‘metres’
- (q) add the following definitions in their alphabetically ordered position—

bicycle parking device means a device installed by the local government for the purpose of allowing bicycles to park by being securely attached to the device;

electric personal transporter has the meaning given in the Code;

electric rideable device has the meaning given in the Code;

electric vehicle means a vehicle that—

- (a) is powered by an electric motor or motors; and
- (b) can be recharged from an external source of electricity,

but does not include an electric personal transporter or electric rideable device;

electric vehicle charging bay means a parking bay designated by a sign for the use of electric vehicles for the period notified on the sign, with an external source of electricity available for charging an electric vehicle stopped or parked in that bay;

electronic communication means a communication of information in the form of data, text or images by means of guided or unguided electromagnetic energy or both;

e-permit means a parking permit issued to the holder in electronic form by electronic communication;

licence plate recognition system means a system installed at a parking station which, using cameras and software, reads and records the licence plate number of a vehicle and allows the vehicle to enter and exit the parking station;

mobile app means a software application made available by or on behalf of the local government, or an equivalent process using a web browser, through which a person can pay for parking or otherwise obtain authorisation to park using a mobile device and which provides confirmation of the period during which it is lawful to remain parked in the relevant area;

mobile app confirmation means the confirmation provided by a mobile app of the period during which it is lawful to remain parked in a mobile payment zone or parking station;

mobile device means a mobile telephone, tablet device, wearable device or other compact electronic telecommunications device;

mobile payment zone means—

- (a) a road or reserve, or part of a road or reserve, that is marked or defined in a way that indicates where a vehicle may be parked on payment of a fee or charge; or
- (b) a parking facility,

(in each case, whether or not also, part of or including another type of fee paying zone) with a sign indicating that a person may, or is required to, pay for or obtain authorisation to park by using a mobile app;

on-demand charter passenger service has the meaning given in the *Transport (Road Passenger Services) Act 2018*;

permitted payment means a means of payment of parking fees and charges that the local government, under clause 1.12, permits to be used in respect of the relevant fee paying zone or parking station, as specified by a sign at the fee paying zone or parking station;

recreational activity includes—

- (a) any sport (whether or not the sport is an organised activity);
- (b) any pursuit or activity engaged in for enjoyment, relaxation or leisure; and
- (c) any pursuit or activity engaged in for enjoyment, relaxation or leisure at a park where people ordinarily engage in sport or in any pursuit or activity for enjoyment, relaxation or leisure;

recreational parking bay means a parking bay located adjacent to a public park and designated by a sign—

- (a) as being for use with no fee payable for the period specified by the sign; and
- (b) for vehicles stopped or parked by persons who, throughout the period the vehicle is stopped or parked in the bay, are engaged in a recreational activity in the public park to which the bay is adjacent;

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

tourism passenger transport service has the meaning given in the *Transport (Road Passenger Services) Act 2018*;

valve stem reading means a method of recording the position of the tyre valves of a vehicle in relation to the kerb or road or other surface on which the vehicle is stopped or parked;

- (r) delete the definitions of **bus way**, **Schedule**, **service vehicle**, **service zone**, **transit lane** and **truck lane**.

2.2 Clause 1.7 ('Interpretation') amended

Replace clause 1.7(4) with—

- (4) A reference to a **thoroughfare**, **parking station**, **parking facility**, **metered zone**, **fee paying zone** or **reserve** includes a reference to any part of the **thoroughfare**, **parking station**, **parking facility**, **metered zone**, **fee paying zone** or **reserve**.

2.3 Clause 1.10 ('Classes of vehicles') amended

In clause 1.10—

- (a) add the words '(which are not mutually exclusive)' after the words 'divided into classes';
- (b) replace the words 'commercial vehicles' with 'commercial loading vehicles' in subclause (b);
- (c) delete the words '; and' from subclause (h); and
- (c) add a new subclause (ha) as follows—
 - (ha) electric vehicles; and

2.4 Clause 1.12 ('Permitted payment') amended

Replace clause 1.12 with—

1.12 Permitted payment

The local government may authorise a person, or persons generally, in respect of particular areas, or generally, to pay for parking, in advance or in arrears, by any means other than or in addition to the insertion of money in a ticket issuing machine or parking meter, including by mobile app or other electronic means.

2.5 Clause 2.3 ('Stopping or parking generally') amended

- (a) Replace clause 2.3(1)(d)(i) with—
 - (i) clause 6.3(1)(a), 6.3(1)(b) or 6.10 applies; or
- (b) In clause 2.3(1)(e), replace the word 'vehicle' with 'vehicle (including, for the purpose of this subclause (e), any trailer (or any caravan which is not capable of self-propulsion) attached to the vehicle)'.
- (c) Replace clause 2.3(2) with—
 - (2) A person must stop or park a vehicle—
 - (a) in a no stopping area;
 - (b) at the side of a carriageway marked with a continuous yellow-edged line; or
 - (c) in an area of a carriageway signed or marked with a keep clear marking.
 - (2A) A person must not stop or park a vehicle in a bay marked "M/C" unless—
 - (a) it is a motorcycle; or
 - (b) the person is dropping off, or picking up, passengers.
 - (2B) A person must not stop or park a vehicle—
 - (a) in a bus lane; or
 - (b) in a bicycle lane or on a path,
 unless the person is driving a public bus or a taxi and is immediately dropping off, or picking up, passengers.
- (d) After clause 2.3(6), add a new clause 2.3(7) as follows—
 - (7) A person must not stop or park a vehicle other than a bicycle against or within 1 metre of a bicycle parking device.

2.6 Clause 2.8 ('Loading zone') amended

- (a) In clause 2.8(1)(a), replace the words 'commercial vehicle' with 'commercial loading vehicle'.
- (b) In clause 2.8(1)(b), add the words ' , other than goods being loaded or unloaded by a person for the purposes of any trade work by that person (alone or with others)' after the words 'loading or unloading goods to or from that vehicle'.
- (c) In clause 2.8(2), delete the words 'commercial or authorised'.

2.7 Clause 2.15 ('Event parking') amended

Replace clause 2.15(3) with—

- (3) A person must not stop or park a vehicle on a reserve or local government property established as a parking facility under subclause (2) during the period for which it is established:—
 - (a) unless a ticket obtained from the local government with respect to the event is displayed inside the vehicle and is clearly visible to, and the details on the ticket regarding the period in which stopping or parking is permitted by that ticket are able to be read by, an authorised person from outside the vehicle at all times in which case the vehicle may be parked in accordance with the sign; or
 - (b) in the case of an area designated by a sign used under subclause (2) for the stopping or parking of vehicles displaying a disability parking permit—
 - (i) a disability parking 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; and
 - (ii) the driver or a passenger in the vehicle is the person entitled to use the displayed disability parking permit,
- in which case the vehicle may be parked in accordance with the sign.

2.8 Clause 2.16 ('Removal and impounding of vehicles') amended

- (1) In clause 2.16(1), replace the words '*Local Government (Functions and Regulations) 1996*' with 'Regulations'.
- (2) Delete clause 2.16(4).

2.9 Clause 2.18 ('Parking on local government property') amended

In clause 2.18, add the words 'and in accordance with a sign applicable to the area' after the words 'specifically set aside for that purpose'.

2.10 New clauses 2.19 and 2.20 added

After clause 2.18, add new clauses 2.19 and 2.20 as follows—

2.19 Parking in electric vehicle charging bays

A person must not stop or park a vehicle in an electric vehicle charging bay unless the vehicle is—

- (a) an electric vehicle; and
- (b) connected to the external source of electricity available for that electric vehicle charging bay.

2.20 Parking in recreational parking bays

A person must not stop or park a vehicle in a recreational parking bay unless the person, or some or all of the passengers of the vehicle, are engaged in a recreational activity in the public park to which the bay is adjacent throughout the period the vehicle is stopped or parked in that bay.

2.11 Clause 3.5 ('Obstructions generally') amended

In clause 3.5—

- (a) replace the word 'paragraphs' with 'subclauses';
- (b) delete the words ' , children's crossing' in clause 3.5(3)(f).

2.12 Clause 3.9 ('Bus stops, pedestrian, children and train crossings') amended

In clause 3.9—

- (a) in the title delete the word ' , children';
- (b) add the words ' ; or' at the end of clause 3.9(1)(b);
- (c) delete clause 3.9(1)(c); and
- (d) renumber the remaining subclauses in clause 3.9(1).

2.13 Clause 3.11 ('Pedestrian malls') amended

In clause 3.11—

- (a) add the words ' ; or' at the end of subclause (b);
- (b) replace the words ' ; or' at the end of subclause (c) with a full stop; and
- (c) delete subclause (d).

2.14 Clause 3.13 ('Charter vehicle zones') amended

- (a) Replace clause 3.13(2) with—

- (2) A charter vehicle must not stop or park in a charter vehicle zone except to pick up or drop off passengers.

- (2A) A charter vehicle must not stop or park in a charter vehicle zone for no more than—
 - (a) 15 minutes—if the charter vehicle has 12 or more seats including the driver; or
 - (b) 5 minutes—if the charter vehicle has less than 12 seats including the driver.
- (b) In clause 3.13(3)—
 - (1) replace the words ‘subclause (2)(b)’ with ‘subclause (2A)(b)’; and
 - (2) replace the words ‘a charter vehicle’ with ‘the charter vehicle’.

2.15 Clause 4.1 (‘Payment of fees’) amended

Replace clause 4.1 with—

4.1 Payment of fees

(1) A person must not stop or park a vehicle in a fee paying zone unless the appropriate fee as indicated at the time the person stops or parks the vehicle by a sign—

- (a) on the parking meter referable to the space—in the case of a metered space;
- (b) on the ticket issuing machine referable to the zone for each parking bay—in the case of a ticket machine zone;
- (c) at or near to the entry to the parking station—in the case of a fee paying zone where there is a licence plate recognition system; or
- (d) specifying that the fee paying zone is a mobile payment zone, or as indicated at the time the person stops or parks the vehicle by a mobile app (and if the mobile app indicates a different fee to any sign, then the fee indicated by the mobile app will be the required fee)—in the case of a mobile payment zone,

is paid by any form of permitted payment.

- (2) Subject to the provisions of this Part 4, the payment of the fee referred to in subclause (1) entitles a person to stop or park a vehicle in—

- (a) a metered space for the period shown on a sign referable to the space;
- (b) a ticket machine zone for the period shown on the parking ticket;
- (c) a fee paying zone with a licence plate recognition system for the period shown on a sign referable to the parking station; or
- (d) a mobile payment zone for the period shown by the mobile app confirmation where payment is made by mobile app,

but does not authorise the parking of the vehicle during any time when stopping or parking in that space or zone is prohibited under this local law.

2.16 New clause 4.3A (‘Mobile app’) added

After clause 4.3, add a new clause 4.3A as follows—

4.3A Mobile app

A person must not operate a mobile app except in accordance with the terms and conditions applying to the use of the mobile app.

2.17 Clause 4.5 (‘Display of parking tickets and parking limits’) amended

- (1) In clause 4.5(1)—

- (a) replace the words ‘the purchase of’ with ‘obtaining’; and
- (b) add the words ‘the details on the ticket regarding the period in which stopping or parking is permitted by that ticket are’ between the words ‘and’ and ‘able’ in subclause (b).

- (2) In clause 4.5(2), replace the words ‘subclause (3)’ with ‘clause 4.5A’.

2.18 New clause 4.5A (‘Trailers’) created

Delete subclause 4.5(3) and after clause 4.5 add a new clause 4.5A as follows—

4.5A Trailers

Where a trailer (or a caravan which is not capable of self-propulsion) is attached to a vehicle stopped or parked in a fee paying zone—

- (a) a parking ticket must be obtained, or payment must otherwise be made, for each occupied parking bay as permitted under this local law; and
- (b) where applicable to the fee paying zone and means of payment used, each parking ticket must be displayed inside the vehicle in accordance with clauses 4.5(1)(a) and (b).

2.19 Clause 4.6 (‘Reserved fee paying zones’) amended

In clause 4.6—

- (a) delete the words ‘metred space, or’; and
- (b) add the words ‘or sign designating it as a fee paying zone’ after the words ‘the parking meter or ticket machine’.
- (c) replace the words ‘ “No Parking”, “Reserved Parking”, “Temporary Bus Stop” ‘ with ‘ “No Stopping”, “Authorised Vehicles Excepted” ‘ in subclause (a).

2.20 Clause 4.8 ('Use of counterfeit or altered parking tickets') amended

Replace clause 4.8 with—

4.8 Use of altered parking tickets

A person must not—

- (a) park a vehicle in a parking facility which requires a parking ticket and display a parking ticket; or
- (b) produce to an authorised person, a parking ticket,

which an authorised person is satisfied is not a genuine ticket validly obtained under this local law or which an authorised person is satisfied has been altered, obliterated or interfered with.

2.21 Clause 5.1 ('Restrictions on entering a parking station') amended

In clause 5.1—

- (a) add the words 'or without first obtaining authorization to enter through the use of a mobile app,' after the words 'or an entrance ticket or parking ticket';
- (b) delete the word 'or' at the end of subclause (a);
- (c) replace the full stop at the end of subclause (b) with the words 'or'; and
- (d) after subclause (b), add a new subclause (c) as follows—
 - (c) the person is granted entry by a licence plate recognition system.

2.22 Clause 5.2 ('Stopping or parking in a parking station') amended

- (a) In clause 5.2(b)—
 - (1) add the words 'the fee is paid' after the words 'into the machine, or'; and
 - (2) delete the word 'or' at the end of the clause.
- (b) In clause 5.2(c)—
 - (1) add the words 'the fee is paid' after the words 'into the machine, or'; and
 - (2) replace the full stop at the end of the clause with 'or'.
- (c) After clause 5.2(c), add new clauses 5.2(d) and 5.2(e) as follows—
 - (d) a parking station with a licence plate recognition system—unless the appropriate fee as indicated by a sign is inserted into a fee collection machine, or the fee is paid by any other form of permitted payment, prior to departure from the licence plate recognition station; or
 - (e) a parking station that allows entry and payment through the use of a mobile app—unless the appropriate fee has been paid in accordance with subclauses (a), (b), (c) or (d) above, if available, or paid through the mobile app and the person complies with the terms and conditions applicable to the use of the mobile app.

2.23 Clause 6.1 ('Classes and application for parking permit') amended

- (a) In clause 6.1(2)(c), add the word 'be' at the start of the clause.
- (b) After clause 6.1(2), add a new clause 6.1(3) as follows—
 - (3) A person must not, in or in connection with any application for a parking permit under subclause (2), provide information or documents that are false or misleading in a material particular.

2.24 Clause 6.3 ('Exemption for permit holders') amended

- (a) In clause 6.3(1)(b), add the words 'or to pay any fee under this local law' after the words 'have a parking ticket'.
- (b) In clause 6.3(2)(c), add the words '(for permits other than e-permits)' at the start of the clause.

2.25 Clause 6.5 ('Use of counterfeit or altered parking permit') amended

Replace clause 6.5 with—

6.5 Use of altered parking permit

A person must not—

- (a) use or display in a vehicle; or
- (b) produce to an authorised person who accepts payment for parking,

a parking permit which an authorised person is satisfied is not a genuine permit validly issued under this local law or which an authorised person is satisfied has been altered, obliterated or interfered with.

2.26 Clause 6.6 ('Revoking a permit') amended

In clause 6.6(1), add the words 'or if an authorised person is satisfied that, before the parking permit was issued, the permit holder (or a person on their behalf) provided information or documents in or in connection with the application for the permit which were false in a material particular' after the words 'class of parking permit' at the end of the clause.

2.27 Clause 6.7 ('Removal of a permit from vehicle') amended

In clause 6.7, add the words '(other than an e-permit)' after the words 'holder of a parking permit'.

2.28 Clause 7.11 ('Interfere with or damage local government property') amended

In clause 7.11, add the words 'fee paying machine,' after the words 'interfere with, damage or obstruct the operation of any'.

2.29 Clause 8.2 ('Form of notices') amended

Replace clause 8.2 with the following—

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 Regulations;
- (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 Regulations; 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 Regulations.

2.30 Clause 8.3 ('Modified penalty') amended

In clause 8.3—

- (a) replace each reference to 'Schedule 2' with 'the Schedule to this local law'.
- (b) replace the words 'that Schedule' with 'the Schedule' in subclause (2).

2.31 Schedule 1 deleted

Delete Schedule 1.

2.32 Schedule 2 amended

Replace Schedule 2 with the following—

Schedule—Modified Penalties

[clause 8.3]

Item No.	Offence Clauses	Nature of Offence	Modified Penalty
1	2.3(1)(a)	Stopping or parking a vehicle of a different class	\$120
2	2.3(1)(b)	Stopping or parking by persons of a different class	\$120
3	2.3(1)(c)	Stopping or parking a vehicle during a prohibited period	\$200
4	2.3(1)(d)	Stopping or parking a vehicle for more than the maximum time specified	\$60
5	2.3(1)(e)	Failure to park or stop wholly within a parking bay or metered space	\$60
6	2.3(1)(f)	Stopping or parking contrary to sign	\$60
7	2.3(1)(g)	Stopping or parking in a parking facility designated as a loading dock	\$60
8	2.3(2)(a)	Stopping or parking in a no stopping area	\$200
9	2.3(2)(b)	Stopping or parking at the side of a carriageway marked with a continuous yellow edged line	\$200
10	2.3(2)(c)	Stopping or parking in an area of a carriageway signed or marked with a keep clear marking	\$200
11	2.3(2A)	Stopping or parking a vehicle in a bay marked "M/C"	\$75
12	2.3(2B)(a)	Stopping or parking in a bus lane	\$200
13	2.3(2B)(b)	Stopping or parking in a bicycle lane or on a path	\$200
14	2.3(3)	Parking in a no parking area	\$75

Item No.	Offence Clauses	Nature of Offence	Modified Penalty
15	2.3(4)(a)	Failure to stop a motorcycle in a parking bay or metered space marked "M/C"	\$75
16	2.3(4)(b)	Failure to stop a motorcycle in a parking bay or metered space with a sign applying to the bay or space inscribed "M/C"	\$75
17	2.3(5)	Stopping or parking a vehicle in a parking bay or metered space for longer than the maximum period during which a vehicle may stop or be parked in any adjacent parking bay or metered space	\$60
18	2.3(6)	Stopping or parking a vehicle in an area designated by a sign stating "Authorised Vehicles Excepted" without permission	\$100
19	2.3(7)	Stopping or parking a vehicle other than a bicycle against or within 1 metre of a bicycle parking device	\$100
20	2.4(2)	Stopping or parking a vehicle on land without owner or occupier consent	\$100
21	2.4(3)	Stopping or parking on land not in accordance with consent	\$100
22	2.5(1)(a)	Stopping or parking in a no stopping area, in a school zone during a school zone period	\$225
23	2.5(1)(b)	Stopping or parking at the side of a carriageway marked with a continuous yellow edged line, in a school zone during a school zone period	\$225
24	2.5(1)(c)	Stopping or parking on a road verge, in a school zone during a school zone period	\$100
25	2.5(1)(d)	Stopping or parking on a footpath or pedestrian refuge, in a school zone during a school zone period	\$225
26	2.5(1)(e)	Stopping or parking in a parking bay in which another vehicle is stopped or parked, in a school zone during a school zone period	\$85
27	2.5(1)(f)	Double parking in a school zone during a school zone period	\$225
28	2.5(1)(g)	Stopping or parking on or across a driveway in a school zone during a school zone period	\$225
29	2.5(1)(h)(i)	Stopping or parking within 10 metres of the departure side or within 20 metres of the approach side of a bus embayment or a bus zone, in a school zone during a school zone period	\$225
30	2.5(1)(h)(ii)	Stopping or parking within 10 metres of the departure side or within 20 metres of the approach side of a pedestrian crossing, in a school zone during a school zone period	\$225
31	2.5(1)(h)(iii)	Stopping or parking within 10 metres of the departure side or within 20 metres of the approach side of a children's crossing, in a school zone during a school zone period	\$225
32	2.5(2)	Stopping or parking on a carriageway so that it obstructs or may obstruct a vehicle on a carriageway, in a school zone during a school zone period	\$225
33	2.6(a)	Failure to stop or park a vehicle as near as practicable to and parallel with an adjacent carriageway boundary	\$60
34	2.6(b)	Failure to stop or park a vehicle at approximately right angles to the centre of a carriageway	\$60
35	2.7	Failure to stop or park at an angle of approximately 45 degrees to the centre of a carriageway in an "angle parking" area	\$60

Item No.	Offence Clauses	Nature of Offence	Modified Penalty
36	2.8(1)(a)	Stopping or parking in a loading zone without a commercial loading vehicle or authorised vehicle	\$100
37	2.8(1)(b)	Stopping or parking in a loading zone without loading or unloading goods to or from the vehicle	\$60
38	2.8(2)	Stopping or parking a vehicle in a loading zone for longer than the time permitted	\$60
39	2.9	Stopping or parking on or over any portion of a reserve	\$100
40	2.10	Stopping or parking in a parking bay or metered space in which another vehicle is stopped or parked	\$60
41	2.11(4)	Failure to stop or park in accordance with terms of permission granted by an authorised person	\$75
42	2.12	Parking or stopping contrary to the direction of an authorised person	\$100
43	2.13	Selling, hiring, or giving away goods or erecting an advertisement in a parking facility without written authorisation	\$200
44	2.14	Removing, damaging, defacing misusing or interfering with any part of a parking facility	\$200
45	2.15(3)(a)	Stopping or parking a vehicle on a reserve or local government property established as a parking facility for an event without a ticket for that event	\$60
46	2.15(3)(b)(i)	Failure to display a disability parking permit in an area for vehicles displaying disability parking permits on a reserve or local government property established as a parking facility for an event.	\$500
47	2.15(3)(b)(ii)	Stopping or parking a vehicle on a reserve or local government property established as a parking facility for an event in an area for vehicles displaying disability parking permits without entitlement to display permit	\$500
48	2.17	Stopping or parking in an area for authorised vehicles without permission	\$100
49	2.18	Stopping or parking on or over any portion of local government property.	\$100
50	2.19(a)	Parking or stopping in an electric vehicle charging bay without an electric vehicle	\$100
51	2.19(b)	Stopping or parking in an electric vehicle charging bay without connecting to the external source of electricity available for that electric charging bay	\$100
52	2.20	Stopping or parking in a recreational parking bay without engaging in a recreational activity in the public park to which the bay is adjacent	\$100
53	3.1(a)	Failure to stop or park on the left of a two-way carriageway	\$100
54	3.1(b)	Failure to stop or park on the boundary of a one-way carriageway	\$100
55	3.1(c)	Stopping or parking when the distance from the farther boundary of a carriageway is less than 3 metres	\$60
56	3.1(d)	Stopping or parking closer than 1.2 metres from another vehicle on a carriageway	\$60
57	3.1(e)	Causing obstruction on a carriageway	\$200
58	3.2	Stopping or parking on a traffic island or median strip	\$75

Item No.	Offence Clauses	Nature of Offence	Modified Penalty
59	3.3(1)(a)	Stopping or parking a bus, trailer or caravan unattached to a motor vehicle on a verge	\$75
60	3.3(1)(b)	Stopping or parking on a verge during prohibited period	\$75
61	3.3(2)	Stopping or parking on a verge without authorisation of the owner or occupier of the premises adjacent to that verge	\$75
62	3.4(a)	Parking on a road or within a parking station for the purpose of exposing the vehicle for sale	\$75
63	3.4(b)	Parking an unlicensed vehicle on a road or within a parking station	\$75
64	3.4(c)	Parking a trailer or caravan unattached to a motor vehicle on a road or within a parking station	\$75
65	3.4(d)	Parking on a road or within a parking station for the purpose of repairs	\$75
66	3.5(3)(a)	Causing an obstruction on a road	\$200
67	3.5(3)(b)	Obstructing an entrance, exit, carriageway, passage or thoroughfare in a parking facility	\$200
68	3.5(3)(c)	Stopping or parking on an intersection	\$200
69	3.5(3)(d)	Stopping or parking on a carriageway within 20 metres from an intersecting carriageway at an intersection with traffic-control signals	\$200
70	3.5(3)(e)	Stopping or parking on a carriageway within 10 metres of the prolongation of the nearest edge of any intersecting carriageway (without traffic-control signals) intersecting that carriageway on the side on which the vehicle is stopped or parked	\$200
71	3.5(3)(f)	Stopping or parking on or over a footpath, pedestrian crossing or a place for pedestrians	\$200
72	3.5(3)(g)	Stopping or parking alongside or opposite an excavation, work, hoarding, scaffolding or obstruction on a carriageway	\$100
73	3.5(3)(h)	Stopping or parking on a bridge or other elevated structure or within a tunnel or underpass	\$200
74	3.5(3)(i)	Stopping or parking between the boundaries of a carriageway and any double longitudinal line consisting of 2 continuous lines	\$100
75	3.5(3)(j)	Stopping or parking 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	\$100
76	3.5(3)(k)	Stopping or parking within the head of a cul-de-sac	\$200
77	3.6(1)	Stopping or parking a vehicle on a road between any other stationary vehicle and the centre of the carriageway	\$200
78	3.7	Stopping or parking on or across a driveway or other way of access for a vehicle travelling to or from land adjacent to a road or thoroughfare	\$200
79	3.8(a)	Stopping or parking within 1 metre of a fire hydrant or fire plug	\$200
80	3.8(b)	Stopping or parking within 3 metres of a public post box	\$60
81	3.9(1)(a)	Stopping or parking within 10 metres of the departure side or within 20 metres of the approach side of a bus embayment or a bus zone	\$200

Item No.	Offence Clauses	Nature of Offence	Modified Penalty
82	3.9(1)(b)	Stopping or parking within 10 metres of the departure side or within 20 metres of the approach side of a pedestrian crossing	\$200
83	3.9(1)(c)	Stopping or parking within 10 metres of the departure side or within 20 metres of the approach side of the nearest rail of a railway level crossing	\$200
84	3.9(2)(a)	Stopping within 3 metres of the departure side or within 10 metres of the approach side of a pedestrian crossing that is not at an intersection	\$200
85	3.9(2)(b)	Stopping within 3 metres of the departure side or within 10 metres of the approach side of a bicycle crossing, equipped with bicycle crossing lights, that is not at an intersection.	\$200
86	3.10(1)	Moving a vehicle to avoid time limitation on a carriageway	\$60
87	3.10(2)	Moving a vehicle to avoid time limitation in a parking station	\$60
88	3.11	Stopping or parking in a pedestrian mall	\$200
89	3.12(1)	Stopping or parking in a public bus zone	\$200
90	3.12(2)	Public bus stopping or parking in a bus embayment without actively picking up or setting down passengers	\$100
91	3.13(1)	Stopping or parking in a charter vehicle zone	\$120
92	3.13(2)	Charter vehicle stopping or parking in a charter vehicle zone without picking up or dropping off passengers	\$100
93	3.13(2A)(a)	Charter vehicle with 12 or more seats stopping or parking in a charter vehicle zone for more than 15 minutes	\$100
94	3.13(2A)(b)	Charter vehicle with less than 12 seats stopping or parking in a charter vehicle zone for more than 5 minutes	\$100
95	3.13(3)	Leaving a charter vehicle unattended in the charter vehicle zone	\$100
96	3.14(1)	Stopping a vehicle in a taxi zone	\$120
97	3.14(2)	Leaving a taxi unattended in a taxi zone	\$100
98	3.15(8)	Stopping or parking in a work zone	\$100
99	3.16(a)	Failure to stop at a place on a length of a carriageway, or in a permitted area, in a shared zone	\$100
100	3.16(b)	Failure to stop in a permitted parking bay in a shared zone	\$100
101	3.16(c)	Stopping or parking in a shared zone without dropping off, or picking up, passengers or goods	\$60
102	3.16(d)	Stopping or parking in a shared zone without engaging in door-to-door delivery or collection of goods, or in the collection of waste	\$60
103	3.17(1)(a)	Parking heavy or long vehicles on a carriageway in a built-up area for over an hour	\$60
104	3.17(1)(b)	Parking heavy or long vehicles on a carriageway outside a built-up area	\$60
105	4.1(1)(a)	Stopping or parking in a fee paying zone without paying the fee indicated by a sign on the parking meter	\$60
106	4.1(1)(b)	Stopping or parking in a fee paying zone without paying the fee indicated by a sign on the ticket issuing machine	\$60
107	4.1(1)(c)	Stopping or parking in a fee paying zone without paying the fee indicated by a sign at or near the entry to the parking station	\$60

Item No.	Offence Clauses	Nature of Offence	Modified Penalty
108	4.1(1)(d)	Stopping or parking in a fee paying zone without paying the fee indicated by a sign specifying that the fee paying zone is a mobile payment zone	\$60
109	4.2	Failure to pay fee in accordance with instructions on the fee paying machine	\$100
110	4.3	Failure to operate a fee paying machine in accordance with the operating instruction on the fee paying machine	\$100
111	4.3A	Failure to operate a mobile app in accordance with the terms and conditions	\$100
112	4.4(a)	Leaving a vehicle stopped or parked in a metered space when the parking meter exhibits the sign 'Expired', a negative time or a series of red flashing lights	\$60
113	4.4(b)	Leaving a vehicle stopped or parked in a metered space for longer than the maximum period that stopping or parking is permitted	\$60
114	4.5(1)(a)	Failure to display unexpired parking ticket inside the vehicle	\$60
115	4.5(1)(b)	Parking ticket not clearly visible to authorised person	\$60
116	4.6	Leaving a vehicle stopped or parked in a reserved fee paying zone	\$100
117	4.7(1)(a)	Stopping or parking in a fee paying zone during a period when stopping or parking is not permitted	\$60
118	4.7(1)(b)	Stopping or parking in a fee paying zone for longer than the maximum period permitted	\$60
119	4.8(a)	Displaying an ingenuine or altered ticket	\$500
120	4.8(b)	Producing an ingenuine or altered ticket to an authorised person	\$500
121	5.1	Entering a parking station without authorisation or a ticket	\$100
122	5.2(a)	Stopping or parking in an attended parking station without paying the fee	\$100
123	5.2(b)	Stopping or parking in a parking station with a ticket issuing machine without paying the fee	\$60
124	5.2(c)	Stopping or parking in a parking station with a fee collection machine without paying the fee	\$60
125	5.2(d)	Stopping or parking in a parking station with licence plate recognition without paying the fee	\$60
126	5.2(e)	Stopping or parking in a parking station that allows entry and payment through the use of a mobile app without paying the fee	\$60
127	5.4(1)(a)	Removing vehicle from a parking station without paying fee	\$200
128	5.4(2)	Failure to pay fee issued by the local government within 3 working days	\$100
129	5.5	Stopping or parking in a parking station for longer than the maximum period permitted	\$60
130	5.6	Entering or exiting a parking facility other than through an authorised entry or exit	\$100
131	5.7(2)	Stopping or parking in a parking station set aside for vehicles with multiple occupants	\$60
132	5.7(3)	Entering a parking station set aside for vehicles with multiple occupants	\$60

Item No.	Offence Clauses	Nature of Offence	Modified Penalty
133	5.9(1)	Remaining in a parking station after having been required to leave by a police officer or authorised person	\$100
134	5.9(2)	Loitering in a parking station	\$100
135	5.10	Driving past a low clearance sign in a vehicle higher than the height indicated by the sign	\$200
136	6.1(3)	Proving false or misleading material in or in connection with an application for a parking permit	\$500
137	6.5(a)	Using or displaying an ingenuine or altered parking permit	\$500
138	6.5(b)	Producing an ingenuine or altered parking permit to an authorised person	\$500
139	6.7	Failure to remove revoked parking permit	\$60
140	6.10(2)(a)	Failure to clearly display written permit issued by local government	\$100
141	6.10(2)(b)	Stopping or parking in a parking facility with an invalid permit	\$100
142	6.10(2)(c)	Stopping or parking in a parking facility with a permit specifying a person's or vehicle's class other than that permitted	\$100
143	7.4	Impersonating or assuming the functions of an authorised person	\$100
144	7.5	Obstructing an authorised person	\$100
145	7.6	Removing a notice put on a vehicle by an authorised person	\$100
146	7.7(a)	Displaying an unauthorised sign resembling a sign displayed by the local government under this local law	\$100
147	7.7(b)	Removing, defacing or misusing a sign or property set up by the local government under this local law	\$100
148	7.7(c)	Affixing a board, sign placard, notice, cover or other thing to, or painting or writing on any part of a sign or fee paying machine	\$100
149	7.8(2)	Removing a mark made by an authorised person	\$100
150	7.11	Interfering, damaging or obstructing the operation of an electronic parking detection device or instrument in a parking station, carriageway or other place	\$500
151		Other offences not specified above.	\$60

2.33 Schedule 3 deleted

Delete Schedule 3.

Dated this 6th day of December 2023.

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

BASIL ZEMPILAS, Lord Mayor.
MICHELLE REYNOLDS, Chief Executive Officer.

LG401

LOCAL GOVERNMENT ACT 1995

Shire of Dardanup

PARKING AMENDMENT LOCAL LAW 2023

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the *Shire of Dardanup* resolved on 13th of December 2023 to make the following local law.

1. Citation

This local law may be cited as the *Shire of Dardanup Parking Amendment Local Law 2023*.

2. Commencement

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

3. Principal Local Law

This local law amends the *Shire of Dardanup Parking Local Law 2023* as published in the *Government Gazette* on 30 November 2022.

4. Title of principal local law amended

Delete '2023' in principal law title and replace with '2022'.

5. Clause 1.1 amended

Clause 1.1 Citation be amended as follows—

Delete '2023' and insert '2022'.

6. Clause 1.4 amended

In Clause 1.4 delete definition '*disability parking permit*'

Dated 13th December 2023.

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

CR. TYRRELL G GARDINER, President.
MR ANDRIES S SCHÖNFELDT, Chief Executive Officer.



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LOCAL GOVERNMENT ACT 1995
BUSH FIRES ACT 1954

SHIRE OF ASHBURTON

**BUSH FIRE BRIGADES
LOCAL LAW 2023**

**LOCAL GOVERNMENT ACT 1995
BUSH FIRES ACT 1954**

SHIRE OF ASHBURTON

BUSH FIRE BRIGADES LOCAL LAW 2023

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SCHEDULE 1—OPERATING PROCEDURES

**LOCAL GOVERNMENT ACT 1995
BUSH FIRES ACT 1954**

SHIRE OF ASHBURTON

BUSH FIRE BRIGADES LOCAL LAW 2023

Under the powers conferred by the *Bush Fires Act 1954* and the *Local Government Act 1995* and all other powers enabling it, the Council of the Shire of Ashburton resolved on the 12 December 2023 to make the following local law.

PART 1—PRELIMINARY

1.1 Title

This local law may be cited as the *Shire of Ashburton Bush Fire Brigades Local Law 2023*.

1.2 Commencement

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

1.3 Repeal

On the day that this local law comes into operation, the *Shire of West Pilbara By-laws Relating to the Establishment, Maintenance and Equipment of Bush Fire Brigades* published in the *Government Gazette* on 24 April 1981 is repealed.

1.4 Terms used

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

Act means the *Bush Fires Act 1954*;

Agreement means a Memorandum of Understanding or other legal instrument entered into by the local government and the FES Commissioner;

AIIMS means *Australasian Inter-Service Incident Management System*;

brigade has the same meaning as bush fire brigade;

brigade area means the area determined in accordance with clause 2.2(1)(b);

brigade member means a fire fighting member, auxiliary member, cadet member or an honorary life member of a bush fire brigade;

brigade officer means a person appointed by the local government to hold a position referred to in clause 2.2(1)(c);

bush fire brigade has the meaning given to it by the Act;

bush fire control officer means a person appointed to that office by the local government with the powers and roles of the bush fire control officer in the Act, the Regulations and this local law;

CEO means the Chief Executive Officer of the local government;

Chief Bush Fire Control Officer means a person appointed to that office by the local government, or designated by the FES Commissioner with the powers and roles of the Chief Bush Fire Control Officer in the Act, the Regulations and this local law;

Department has the meaning given to it by the Act;

DFES means the Department;

Deputy Chief Bush Fire Control Officer means a person appointed to that office by the local government with the powers and roles of the Deputy Chief Bush Fire Control Officer in the Act, the Regulations and this local law;

district means the district of the local government;

FES Commissioner has the meaning given in the *Fire and Emergency Services Act 1998* section 3;

Grievance means an allegation by a brigade member about another brigade member about unfair treatment, discrimination, harassment, victimisation, vilification and/or bullying;

local government means the Shire of Ashburton;

Local Government Grant Scheme means the arrangements to distribute Emergency Services Levy funds to local governments via capital and operating grants;

normal brigade activities means the activities prescribed in section 35A of the Act;

Operating Procedures means the Rules Governing the Operation of a Bush Fire Brigade set out in the Schedule 1, intended with this local law to govern the operation of bush fire brigades;

Regulations means Regulations made under the Act; and

Schedule means a Schedule to this local law.

Standard Operating Procedure means Standard Operating Procedure applied by the FES Commissioner as prescribed in clause 3.1(5)(a);

(2) In this local law, unless the context otherwise requires, a reference to—

- (a) a Captain;
- (b) a Bush Fire Control Officer;
- (c) a First Lieutenant;
- (d) a Second Lieutenant;
- (e) any additional Lieutenants;
- (f) an Equipment Officer;
- (g) a Secretary; or
- (h) a Treasurer,

means a brigade member holding that position in a bush fire brigade.

1.5 Application

This local law applies throughout the district and applies generally to the operation of a bush fire brigade of the local government and its officers and members and other persons performing functions under this local law, the Regulations and the Act.

PART 2—ESTABLISHMENT OF BUSH FIRE BRIGADES

Division 1—Establishment of a bush fire brigade

2.1 Establishment of a bush fire brigade

(1) The local government by resolution of the Council may establish a bush fire brigade for the purpose of carrying out normal brigade activities.

(2) A bush fire brigade is established on the date of the local government's decision under subclause (1).

2.2 Brigade name and appointment of officers of bush fire brigade

(1) On establishing a bush fire brigade under clause 2.1(1), the local government is to—

- (a) give a name to the bush fire brigade;
- (b) specify the area in which the bush fire brigade is primarily responsible for carrying out the normal brigade activities (known as the **brigade area**); and
- (c) appoint—
 - (i) a Captain that is to be the Bush Fire Control Officer for the bush fire brigade;
 - (ii) a First Lieutenant;
 - (iii) a Second Lieutenant;
 - (iv) any additional Lieutenants;
 - (v) an Equipment Officer;
 - (vi) a Secretary; and
 - (vii) a Treasurer.

(2) When establishing a bush fire brigade, the local government must register the bush fire brigade in accordance with the Act and Regulations.

(3) When considering the appointment of persons to the positions in subclause (1)(c), the bush fire brigade and the local government are to have regard to the qualifications, competence and experience which may be required to fill each position.

(4) A person appointed to a position in subclause (1)(c) is to be taken to be a brigade member and a person first appointed to a position is to be taken to be a brigade member from the establishment of the brigade.

(5) The appointments referred to in subclause (1)(c)—

- (a) become effective at the completion of the meeting of Council at which the appointments are made; and
- (b) expire at the completion of the meeting of Council at which new appointments are made following an annual general meeting of the bush fire brigade.

(6) If a position referred to in subclause (1)(c) becomes vacant prior to the completion of the next annual general meeting of the brigade, then the local government is to appoint a person to fill the vacancy in accordance with subclause (3).

Division 2—Transitional

2.3 Existing bush fire brigades

(1) Where the local government has established a bush fire brigade prior to the commencement date, then on and from the commencement date—

- (a) the bush fire brigade is to be taken to be a bush fire brigade established under, and in accordance with this local law; and
 - (b) any rules governing the operation of the bush fire brigade are to be taken to have been repealed and substituted with this local law, the Operating Procedures.
- (2) In this clause **commencement date** means the day on which this local law comes into operation.

Division 3—Cancellation of a bush fire brigade

2.4 Cancellation of a bush fire brigade

In accordance with section 41(3) of the Act, the local government may cancel the registration of a bush fire brigade if it is of the opinion that the bush fire brigade is not complying with the Act, this local law, the Operating Procedures or is not achieving the objectives for which it was established.

2.5 New arrangement after cancellation

If a local government cancels the registration of a bush fire brigade, alternative arrangements are to be made in respect of the brigade area.

PART 3—ORGANISATION AND MAINTENANCE OF BUSH FIRE BRIGADES

Division 1—Local government responsibility

3.1 Responsibilities for structure and operating procedures

- (1) The local government is to ensure that there is an appropriate structure through which the organisation of bush fire brigades is maintained.
- (2) The local government is to establish, implement and maintain the Operating Procedures in Schedule 1 for the general administration and management of bush fire brigades.
- (3) The local government may make other applicable rules, policies and procedures as determined necessary by the local government to support the management and administration of bush fire brigades and effective and safe normal brigade activities.
- (4) The local government may enter into an Agreement with the FES Commissioner to manage a bush fire brigade on its behalf.
- (5) Where the local government has entered into an Agreement with the FES Commissioner, the FES Commissioner has the following functions in relation to the administration of this local law—
 - (a) To implement, maintain and apply all necessary Standard Operating Procedures for direct fire fighting incident response activities and normal brigade activities by bush fire brigades;
 - (b) Administration of bush fire brigades in accordance with Part 4 of this local law;
 - (c) The maintenance, replacement and upkeep of all bush fire brigade protective clothing, equipment and appliances in accordance with clause 5.1 of this local law;
 - (d) Designate a DFES staff member as the Chief Bush Fire Control Officer for the local government for the duration of the Agreement;
 - (e) To ensure that a DFES staff member designated as the Chief Bush Fire Control Officer will be trained to the competencies identified by DFES as being required to effectively manage incidents attended by bush fire brigade members;
 - (f) To ensure that the Chief Bush Fire Control Officer is aware of the need to exercise due care in all decisions and actions that may affect the safety and health of brigade members, including but not limited to decisions as to deployment into known hazardous areas; and
 - (g) To exercise due care in giving any mobilisation and management directions and in giving directions to the Chief Bush Fire Control Officer, taking into account the safety and health of brigade members.
- (6) When the FES Commissioner applies Standard Operating Procedures to any bush fire brigade, if there is any conflict between a provision of the Operating Procedures in Schedule 1 and the Standard Operating Procedures, then the provisions of the Standard Operating Procedures prevail.
- (7) The duties of a Chief Bush Fire Control Officer, designated by the FES Commissioner include to—
 - (a) provide leadership to bush fire brigades;
 - (b) actively promote the use of AIIMS structures during response, to bush fire control officers and brigade members;
 - (c) carry out all administration and management of bush fire brigades, in consultation with the bush fire brigade Captain;
 - (d) actively monitor bush fire brigade member training and skills collectively or individually to ensure bushfire brigade members are appropriately trained to the competencies necessary to safely undertake normal brigade activities;
 - (e) report on the status of bush fire brigade members, with recommendations at least once a year, to the local government or as otherwise directed by the CEO;
 - (f) monitor bush fire brigades' resourcing, equipment (including protective clothing) and report thereon with recommendations at least once a year, to the local government or as directed by the CEO;

- (g) prepare in consultation with the CEO or a nominee appointed by the CEO applications for funding under the Local Government Grant Scheme for both operating and capital requests, and prepare acquittals for Local Government Grants Scheme expenditure;
- (h) liaise with the CEO or a nominee appointed by the CEO concerning fire prevention/suppression matters generally and directions to be issued by the local government to Bush Fire Control Officers (including those who issue permits to burn), bush fire brigades or brigade officers;
- (i) ensure that bush fire brigades are registered and that lists of brigade members are maintained;
- (j) ensure bush fire brigade appliances, ancillary operational equipment are serviced and maintained in accordance with the manufacturers or other statutory requirements and are ready and available for operational response activities; and
- (k) participate in Bush Fire Advisory Committee and bush fire brigade meetings as a non voting representative.

Division 2—Operating procedures

3.2 Application of the operating procedures and local law

- (1) In this clause the term ‘Operating Procedures’ includes Standard Operating Procedures.
- (2) The Operating Procedures in conjunction with the local law govern the operation of a bush fire brigade.
- (3) A bush fire brigade and each brigade member is to comply with the Operating Procedures and the provisions of this local law and to have due regard to policies and any written directions of the CEO or the local government.

3.3 Variation of procedures

- (1) The CEO, in consultation with the Chief Bush Fire Control Officer may recommend to the Council variation of the Operating Procedures and their application to bush fire brigades.
- (2) The CEO is to notify all bush fire brigades of any variation to the Operating Procedures, as soon as practicable following formally amending this local law.

3.4 Brigades are to be supplied with Act, policies and procedures

- (1) The CEO is to supply each bush fire brigade with a copy of the Act, the Regulations, this local law, any relevant policy, written direction and any other procedure or matter which may be relevant to the performance of brigade functions, and any amendments, which are made thereto from time to time.
- (2) Where an Agreement is in place, the Chief Bush Fire Control Officer designated by the FES Commissioner is to provide all bush fire brigades and brigade members copies of the Standard Operating Procedures contemplated by clause 3.1(5)(a).

Division 3—Chief bush fire control officer

3.5 Appointment and managerial role of chief bush fire control officer

- (1) The local government is to appoint a person as Chief Bush Fire Control Officer if at any time the FES Commissioner under an agreement has not designated a DFES staff member as the Chief Bush Fire Control Officer under clause 3.1(5).
- (2) The local government is not to appoint a Chief Bush Fire Control Officer if the FES Commissioner has designated a DFES staff member as Chief Bush Fire Control Officer as provided in clause 3.1(5), and if a Chief Bush Fire Control Officer has been appointed by the Shire at the time the DFES Commissioner designates a DFES staff member as Chief Bush Fire Control Officer, then the local government’s appointment terminates from that time.
- (3) Subject to any direction of the local government, or of the FES Commissioner, the Chief Bush Fire Control Officer has primary managerial responsibility for the organisation and maintenance of bush fire brigades.

3.6 Duties of chief bush fire control officer

- (1) The duties of the Chief Bush Fire Control Officer appointed by the local government include to—
 - (a) provide leadership to bush fire brigades and brigade members;
 - (b) actively promote the use of AIIMS structures during response, to bush fire control officers and brigade members;
 - (c) monitor bush fire brigades’ resourcing, equipment (including protective clothing) and report thereon with recommendations at least once a year, to the local government or as otherwise directed by the CEO;
 - (d) actively monitor bush fire brigade member training and skills collectively or individually to ensure safe normal brigade activities and report thereon with recommendations at least once a year, to the local government or as directed by the CEO;
 - (e) liaise with the local government concerning fire prevention/suppression matters generally and directions to be issued by the local government to Bush Fire Control Officers (including those who issue permits to burn), bush fire brigades or brigade officers; and
 - (f) ensure that bush fire brigades are registered and that lists of brigade members are maintained.
- (2) In this clause **Chief Bush Fire Control Officer** includes the Deputy Chief Bush Fire Control Officer/s appointed by the local government.

3.7 Chief bush fire control officer may attend meetings

If the Chief Bush Fire Control Officer is designated by the FES Commissioner attendance at any meeting of a bush fire brigade, or the Committee is on a non voting basis to provide guidance and advice.

PART 4—ADMINISTRATION OF BUSH FIRE BRIGADES*Division 1—Bush fire brigade membership***4.1 Types of membership of bush fire brigade**

The types of membership of a bush fire brigade are defined in the Operating Procedures.

4.2 Brigade membership

Applications for membership, including registration of bush fire brigade members, is to be in accordance with the Operating Procedures.

4.3 Termination of membership

The termination of the membership of a brigade member is dealt with in the Operating Procedures.

4.4 Suspension of membership

The suspension of membership of a brigade member is dealt with in the Operating Procedures.

4.5 Grievances and disputes

Grievances must be managed in accordance with the Operating Procedures.

*Division 2—Administration***4.6 Record keeping and reporting—auditing**

(1) The local government must maintain records containing brigade member's details, brigade assets, vehicles and equipment and information and records of all matters relating to the operations, management, training of the brigade members, and the authorisation of the brigade officers, members and of the bush fire brigade.

(2) No later than 30 May in each year, the bush fire brigade is to provide to the CEO the following reports for the preceding financial year—

- (a) a list of current bush fire brigade member's details including commencement dates;
- (b) a list of training successfully completed by bush fire brigade members;
- (c) an equipment/asset register detailing the nature, quantity and quality of all protective clothing, equipment and appliances of the bush fire brigade provided under the Local Government Grant Scheme;
- (d) an equipment/asset register detailing the nature and quantity of all equipment of the bush fire brigade procured with bush fire brigade funds;
- (e) an independently audited statement of brigade finances; and
- (f) a gift/donations register.

(3) Any other record keeping and reporting requirements for bush fire brigades must be in accordance with the Operating Procedures.

*Division 3—Meetings of bush fire brigades***4.7 Conduct of brigade and committee meetings**

(1) All bush fire brigade and committee meetings are to be conducted in accordance with the Operating Procedures.

(2) A bush fire brigade meeting means—

- (a) an annual general meeting of a bush fire brigade to be held in May of each year;
- (b) a general meeting of a bush fire brigade; or
- (c) a special meeting of a bush fire brigade.

PART 5—EQUIPMENT OF BUSH FIRE BRIGADES**5.1 Maintenance of equipment**

(1) The maintenance, replacement and upkeep of all bush fire brigade protective clothing, equipment and appliances is to be to a standard that ensures operational readiness for normal brigade activities.

(2) The CEO and Chief Bush Fire Control Officer designated by the FES Commissioner where an Agreement is in effect must document maintenance standards.

PART 6—FUNDING OF BUSH FIRE BRIGADES**6.1 Funding under the local government grant scheme or equivalent**

(1) Requests by the local government for funding under the Local Government Grant Scheme or its equivalent must be in accordance with the Local Government Grant Scheme Manual.

(2) Expenditure of funds under the Local Government Grant Scheme or its equivalent must be managed by the local government in accordance with the Local Government Grant Scheme Manual and the financial responsibilities of the local government.

6.2 Funding under local government budget

(1) Where an item is not eligible or is not otherwise able to be funded through the Local Government Grant Scheme or its equivalent a bush fire brigade through a resolution of the bush fire brigade committee, may submit a request to the local government for funding from the local government budget.

(2) A request for funding under clause (1) must be received in writing no later than 31 January for consideration in the forthcoming local government budget for the following financial year.

(3) The local government may approve or refuse an application for funding made under clause (1) depending upon the assessment of budget priorities for the financial year in question.

6.3 Management and expenditure of bush fire brigade funds

A bush fire brigade must not expend its own funds on any protective clothing, equipment, appliances or land or property occupied, whether eligible or not under the Local Government Grant Scheme or its equivalent, unless the written consent of the CEO is obtained.

SCHEDULE 1—OPERATING PROCEDURES

(Clause 3.1)

The Operating Procedures are comprised of the following Rules.

PART 1— PRELIMINARY

1.1 Interpretation

(1) In these Rules, unless the context otherwise requires, where a term is used in these Rules and is defined in the local law, the Act or the Regulations, then the term is to be taken to have the meaning assigned to it in the local law, the Act or the Regulations, as the case may be. In the case of conflict, the order of priority should be the Act, the Regulations and the Local Law.

(2) In these Rules, unless the context otherwise requires—

simple majority means a majority of more than 50% of—

- (a) brigade members of a bush fire brigade, present in person; if the majority is required at a meeting of the bush fire brigade; or
- (b) brigade officers of the bush fire brigade, present in person, if the majority is required at a meeting of the committee.

absolute majority means a majority of more than 50% of the number of—

- (a) brigade members of the bush fire brigade, whether in attendance or not, if the absolute majority is required at a meeting of the brigade; or
- (b) brigade officers of the bush fire brigade, whether in attendance at the meeting or not, if the majority is required at a meeting of the Committee.

Committee means the Committee of the bush fire brigade.

(3) Subject to these Rules, where a decision is to be made by the bush fire brigade, then the decision may be made by a resolution passed by a simple majority of the brigade members who are present in person at the meeting.

(4) Subject to these Rules, where a decision is to be made by the Committee, then the decision may be made by a resolution passed by a simple majority of the brigade officers who are present in person at the meeting.

1.2 Types of membership of bush fire brigade

The membership of a bush fire brigade consists of the following—

- (a) fire fighting members;
- (b) auxiliary members;
- (c) cadet members; and
- (d) honorary life members.

1.3 Fire fighting members

Fire fighting members are those persons being at least 16 years of age who undertake all normal bush fire brigade activities.

1.4 Auxiliary members

Auxiliary members are persons willing to supply free vehicular transport for fire fighting members or fire fighting equipment, or who are prepared to render other assistance required by the bush fire brigade.

1.5 Cadet members

Cadet members are—

- (a) to be aged 11 to 15 years;
- (b) to be admitted to membership only with the consent of their parent or guardian;

- (c) admitted for the purpose of training and are not to attend or be in attendance at an uncontrolled fire or other emergency incident (operational response incidents);
- (d) to be supervised by a fire fighting member (with at least 3 years continuous bush fire brigade service), when undertaking normal brigade activities, as defined by paragraphs (c), (d), (e), (f) and (g) of section 35A of the Act;
- (e) ineligible to vote at meetings;
- (f) not to be assigned a rank.

1.6 Honorary life member

- (1) The bush fire brigade may by a simple majority resolution appoint a person as an honorary life member in recognition of services by that person to the bush fire brigade.
- (2) Membership fees if levied by the bush fire brigade are not payable by an honorary life member.

PART 2—OBJECTIVES AND MEMBERSHIP OF A BUSH FIRE BRIGADE

2.1 Objectives of a brigade

The objectives of the bush fire brigade are to carry out—

- (a) normal brigade activities; and
- (b) the functions of the bush fire brigade as specified in the Act, the Regulations, and this local law.

2.2 Applications for membership

- (1) Applications for membership of a bush fire brigade must—
 - (a) be made in the form as determined by the local government from time to time;
 - (b) be submitted to the Secretary of the relevant bush fire brigade, who must forward a copy of the application to the Captain within one week of the application being submitted; and
 - (c) be determined by the Committee of the bush fire brigade, having regard to any advice received from the Captain or the Chief Bush Fire Control Officer in relation to the application.

2.3 Conditions of membership

- (1) Bush fire brigade members must comply with the Act, Regulations, the Operating Procedures and the Department's Standard Operating Procedures in conducting normal brigade or response activities.
- (2) In relation to any type of membership, as described in Part 4 of these Rules, a bush fire brigade may establish internal policies or procedures to—
 - (a) the qualifications required;
 - (b) a requirement to serve a probationary period; and
 - (c) procedures to be employed by the Committee, in assessing an application for membership, and the Committee is to determine applications for membership in accordance with any such policy.

2.4 Decision on application for membership

- (1) Subject to clause 2.2, the Committee may—
 - (a) approve an application for membership unconditionally or subject to any conditions; or
 - (b) refuse to approve an application for membership.
- (2) If the Committee refuses to approve an application for membership, it is to give written notice of the refusal, as soon as practicable after the decision is made, to the applicant and advise the applicant that he or she has the right to object to the local government.

2.5 Department to be notified of registrations

If any application for membership to a bush fire brigade is approved, the local government is to supply details of the approved application to the Department within 14 days of a person being admitted to membership in the form required by the Department from time to time.

2.6 Suspension of membership

- (1) Membership of a bush fire brigade may be suspended at any time if, in the opinion of the CEO, or the Committee, following consultation with the Chief Bush Fire Control Officer, the circumstances warrant suspending the member.
- (2) Without limiting the generality of subclause (1), a member of a bush fire brigade may be suspended in the event the member—
 - (a) contravenes the Act, the Regulations, the Operating Procedures, this local law, bush fire brigade policies or the Standard Operating Procedures;
 - (b) displays conduct detrimental to the best interests of the bush fire brigade, the local government or the Department;
 - (c) has performed an unsafe act that jeopardises the safety of the member or others;
 - (d) has been charged by the Police for a criminal offence and is awaiting court proceedings;
 - (e) has acted in such a manner as to cause harm or distress to other brigade members;
 - (f) has failed to attend 3 or more consecutive meetings of the bush fire brigade within a period of 12 months, without providing prior notice of non attendance; or

- (g) has failed to attend 3 or more structured local training events facilitated by the bush fire brigade.
- (3) The suspended member may be excluded immediately from all normal brigade activities or any specified bush fire brigade duties and activities.
- (4) The brigade Captain or Chief Bush Fire Control Officer must notify the member in writing, advising of the suspension period and reasons for suspension.
- (5) The period of suspension may be up to a maximum of 3 consecutive months and must be determined by the Committee, in consultation with the Chief Bush Fire Control Officer.
- (6) Upon the expiry of the period of suspension the Committee, following consultation with the Chief Bush Fire Control Officer, may—
 - (a) extend the period of suspension;
 - (b) terminate the membership; or
 - (c) reinstate the membership.

2.7 Termination of membership

- (1) Membership of the brigade terminates if the member—
 - (a) dies;
 - (b) gives written notice of resignation to the Secretary;
 - (c) is dismissed by a decision of the Committee, following consultation with the Chief Bush Fire Control Officer, by reason of—
 - (i) failing to comply with the aims and objectives of the bush fire brigade;
 - (ii) failing to comply with the Act, the Regulations, the Operating Procedures, this local law, or any the bush fire brigade or local government policies or local government written directions relating to bush fire brigades;
 - (iii) displaying conduct detrimental to the general interests of the bush fire brigade, the local government or the Department;
 - (iv) being convicted of a criminal offence that in the opinion of the Committee in consultation with the Chief Bush Fire Control Officer would reasonably ordinarily exclude the member from joining a brigade;
 - (v) acting in such a manner as to cause harm or distress to other brigade members by their activities or actions; or
 - (d) ceases to be a member or is taken to have resigned under subclause (2).
- (2) A brigade member who, in the opinion of the Committee or the Chief Bush Fire Control Officer, has not adequately fulfilled his or her role within the bush fire brigade, and has not responded to any written correspondence requesting that he or she state their intentions, within 21 days, will be deemed to have resigned from the bush fire brigade.
- (3) Where a membership is terminated, all property owned by the bush fire brigade; the local government or the Department that is held by or in the possession of the person whose membership has been terminated, must be returned to the bush fire brigade.

2.8 Member has right of defence

A bush fire brigade member is not to be dismissed under clause 2.7(1)(c) or have his or her membership terminated under clauses 2.6(6)(b), without being given the opportunity to meet with the Committee and the Chief Bush Fire Control Officer and respond to any allegations which might give grounds for dismissal or termination of membership, and unless the response has been duly considered.

2.9 Existing liabilities to continue

The resignation, or dismissal of a member under clause 2.7 or the suspension or termination of a member under clause 2.6, does not affect any liability of the bush fire brigade member arising prior to the date of resignation, dismissal, suspension or termination as the case may be.

2.10 Objection rights

- (1) A person whose—
 - (a) application for membership is refused under clause 2.4(1)(b);
 - (b) membership is terminated under clauses 2.7(1)(c)(iv) or clause 2.6(6)(b); or
 - (c) membership is suspended under clause 2.6(1) or clause 2.6(2);has a right of objection to the CEO.
- (2) Where a person lodges an objection to the CEO pursuant to subclause (1), the CEO, or another person nominated in writing by the CEO, may dispose of the objection by—
 - (a) dismissing the objection;
 - (b) varying the decision objected to; or
 - (c) revoking the decision objected to, with or without substituting for it another decision; or
 - (d) referring the matter, with or without directions, for another decision by the Committee.
- (3) No further right of review is available under this local law in respect of a decision made by CEO pursuant to subclause (2).

PART 3—FUNCTIONS OF BRIGADE OFFICERS**3.1 Chain of command during fire fighting activities**

Subject to the Act, the Regulations, the command hierarchy to apply during fire fighting response activities is—

- (a) Chief Bush Fire Control Officer;
- (b) Deputy Chief Bush Fire Control Officer;
- (c) Bush fire control officers, in accordance with seniority;
- (d) Captain;
- (e) Lieutenants, in accordance with seniority;
- (f) Fire fighter.

The most senior in attendance takes command and control operationally. Nothing precludes command and control being undertaken by a person of lesser rank by mutual agreement or by an employee of the Department, subject to any formal documented hand over requirements.

3.2 Captain

- (1) The Captain is the most senior operational brigade member of the brigade.
- (2) Subject to subclause (3) below, the Captain is to preside at all meetings.
- (3) In the absence of the Captain, the meeting is to be presided by the next senior operational person.
- (4) The Captain is responsible for the efficient administration of the brigade.

3.3 Lieutenant

- (1) A Lieutenants role is to—
 - (a) provide support to the Captain and assist with the management of the brigade;
 - (b) effectively guide, manage and mentor fire fighting members during direct fire fighting incident response activities and normal brigade activities;
 - (c) maintain a personal incident diary with a record of events that occur during all incidents attended;
 - (d) in the absence of the Captain or to support the Captain, assist with or conduct brigade briefings and post incident analysis of any incident involving direct fire fighting response activities; and
 - (e) actively support other appointed Lieutenants.

3.4 Secretary

The Secretary is to—

- (a) be in attendance at all meetings and keep accurate minutes of the proceedings of the brigade, which must be open for inspection by brigade members at any reasonable time;
- (b) answer all correspondence or direct it appropriately and keep a record of the same;
- (c) prepare and send out all necessary notices of meetings;
- (d) receive donations and monies on behalf of the brigade, and remit them to the Treasurer upon receipt;
- (e) maintain a register of all current brigade members which includes each brigade member's contact details and type of membership; and
- (f) provide the local government a copy of the minutes of all Committee meetings, within 14 days.

3.5 Treasurer

The Treasurer is to—

- (a) receive donations and monies from the Secretary and deposit all monies to the credit of the brigade's bank account;
- (b) pay accounts as authorised by the Committee;
- (c) keep a record of all monies received and payments made, maintain the accounts and prepare the balance sheet for each financial year;
- (d) be the custodian of all monies of the brigade; and
- (e) report on the financial position at meetings of the brigade and or Committee.

3.6 Equipment Officer

The Equipment Officer is responsible for the inspection and maintenance of all equipment and appliances, as directed by the brigade Captain.

3.7 Storage of equipment

The Equipment Officer may store part or all of the equipment of the brigade at a place approved by the Chief Bush Fire Control Officer, following consultation with the local government.

PART 4—COMMITTEE**4.1 Management of a bush fire brigade**

- (1) Subject to the provisions of this local law, the administration and management of the affairs of a bush fire brigade are vested in the Committee.

(2) Without limiting the generality of subclause (1), the Committee of a bush brigade is to have the following functions—

- (a) to consider matters relating to the administration and affairs of the bush fire brigade;
- (b) to recommend to the local government amendments to this local law;
- (c) to approve the annual budget for the brigade and present it at the annual general meeting of the bush fire brigade;
- (d) to propose a motion for consideration at any meeting of the bush fire brigade;
- (e) to recommend to the local government equipment which needs to be supplied by the local government to the bush fire brigade;
- (f) to invest or place on deposit any of the funds of the bush fire brigade not immediately required to perform the normal brigade activities;
- (g) to delegate to a person, as from time to time thought fit, any functions (being less than the total functions of the Committee) on any conditions it thinks fit;
- (h) to do all things necessary or convenient in order to perform any of its functions and to secure the performance of the normal brigade activities by the bush fire brigade; and
- (i) deal with membership applications, terminations, suspensions, grievances, disputes and disciplinary matters.

4.2 Membership of committee

(1) The Committee of the bush fire brigade is to consist of the Captain, First Lieutenant, Secretary, Treasurer and 2 other brigade members. The Committee of a bush fire brigade must not exceed a total of 6 brigade members.

(2) The Committee members are to—

- (a) be elected at the annual general meeting of the bush fire brigade;
- (b) hold office until the next annual general meeting; and
- (c) be eligible for re-election at the next annual general meeting.

4.3 Termination of committee membership

(1) Any Committee member may be removed from office by a majority decision of the brigade members present in person at a special meeting called for such a purpose.

(2) If a position becomes vacant prior to the commencement of the annual general meeting, then the bush fire brigade is to elect a person to fill the vacancy at a special meeting within 4 weeks of the vacancy occurring.

(3) The local government is to be advised of the removal of a committee member from office pursuant to subclause (1), or the election of a person to fill a vacancy pursuant to subclause (2) within 7 days.

PART 5—MEETINGS OF THE BUSH FIRE BRIGADE

5.1 General meetings

(1) General meetings should be held at least quarterly. The Secretary must give at least 7 days' notice to all brigade members and the Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer.

(2) In a notice given under subclause (1), the Secretary is to specify the business which is to be conducted at the meeting by way of an agenda.

5.2 Special meetings

(1) The Secretary after consultation with the Captain is to call a special meeting when 3 or more brigade members request one in writing or where this local law requires such a meeting.

(2) At least 14 days' notice of a special meeting is to be given by the Secretary to all brigade members and the Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer.

(3) In a notice given under subclause (2), the Secretary is to specify the business which is to be conducted at the meeting.

(4) No business is to be conducted at a special meeting beyond that specified in the notice given under subclause (3) in relation to that meeting.

5.3 Annual general meeting

(1) At least 14 days' notice of the annual general meeting is to be given by the Secretary to all brigade members and the Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer.

(2) At the annual general meeting, the bush fire brigade is to—

- (a) elect the brigade officers from among the brigade members;
- (b) consider the Captain's report on the year's activities;
- (c) adopt the annual financial statements;
- (d) deal with any general business arising from the previous annual general meeting; and
- (e) deal with any business approved by the Captain.

5.4 Notice of a meeting

- (1) Notices of meetings of the bush fire brigade are to be in writing and may be—
 - (a) sent by ordinary post to the registered address of each brigade member;
 - (b) given in person to each brigade member;
 - (c) by email; or
 - (d) by notice published in a newspaper circulating in the area of the bush fire brigade.
- (2) The notice of a meeting must—
 - (a) set out the date, time, and place of the meeting; and
 - (b) set out particulars of motions of which notice has been given; and in the case of special meetings, set out particulars of the business to be transacted.
- (3) Any accidental omission to give notice of a meeting to, or non-receipt by a person entitled to receive such notice, is not to invalidate the meeting, the subject of notice or any resolutions passed at the meeting.
- (4) If a meeting under clauses 5.1, 5.2 or 5.3 of these Rules ceases to have a quorum at any time, the presiding member is to immediately—
 - (a) close the meeting; or
 - (b) adjourn the meeting for not more than 30 minutes after which the meeting is to be closed if a quorum is not achieved within that time.

5.5 Quorum

- (1) Except for meetings of the Committee, the quorum for a meeting of a bush fire brigade is—
 - (a) Where the brigade membership is 3 persons or less, 100% of members.
 - (b) Where brigade membership is 4 or more persons, but less than 8 persons, 3 members.
 - (c) Where brigade membership is 8 persons or more, but less than 12 persons, 4 members.
 - (d) Where brigade membership is 12 persons or more, but less than 20 persons, 5 members.
 - (e) Where membership is 20 or more persons, 25% of members.
- (2) No business is to be transacted at a meeting of the bush fire brigade unless a quorum of brigade members is present in person.
- (3) Should a quorum not be present, all matters requiring urgent decision are to be dealt with at a special meeting of the bush fire brigade.
- (4) If a meeting ceases to have a quorum at any time, the presiding member is to immediately—
 - (a) close the meeting; or
 - (b) adjourn the meeting for not more than 30 minutes after which the meeting is to be closed if a quorum is not achieved within that time.

5.6 Voting

- (1) Each brigade member is to have one vote, however in the event of an equality of votes, the Captain (or person presiding) may exercise a casting vote.
- (2) Unless otherwise stated in these Rules, where a decision is to be made by the bush fire brigade, then the decision may be made by a resolution passed by a majority of the brigade members present in person at the meeting.

PART 6—MEETINGS OF COMMITTEE**6.1 Meetings of Committee**

- (1) The Committee is to meet for the despatch of business, adjourn and otherwise regulate its meeting as it thinks fit.
- (2) The Captain or the Secretary, may convene a meeting of the Committee at any time.
- (3) Where a Committee member cannot be contacted, a notice of meeting of the Committee is to be in writing and may be—
 - (a) sent by ordinary post to the registered address of the Committee member; or
 - (b) sent by email,7 days prior to the meeting.
- (4) Where the business is of an urgent nature and subclause (3) is not reasonable, upon request from the Captain or Secretary, the Chief Bush Fire Control Officer will determine if the meeting of the Committee is to be held or not.

6.2 Quorum of the Committee

- (1) The quorum for a Committee meeting is 5 members of the Committee, present in person.
- (2) No business is to be transacted at a meeting of the Committee without a quorum of Committee members. Subject to these Rules, where a decision is to be made by the Committee, then the decision is to be made by a resolution passed by a simple majority of Committee members present, in person.
- (3) The minutes of any meeting of the Committee must be presented to the next general meeting of the bush fire brigade.

6.3 Voting

Each committee member is to have one vote, however in the case of an equality of votes, the Captain (or person presiding) may exercise an additional casting vote.

PART 7—GENERAL ADMINISTRATION MATTERS

7.1 Funds

The funds of a bush fire brigade are to be used solely for the purpose of promoting the objectives of the bush fire brigade.

7.2 Financial year

The financial year of a bush fire brigade is to commence on 1 May and is to end on 30 April of the following year.

7.3 Banking

(1) The funds of a bush fire brigade are to be placed in the bush fire brigade's bank account and are to be drawn on only by—

- (a) cheques signed jointly by any 2, of the Captain, Secretary or Treasurer; or
- (b) authorised use of electronic banking by the Secretary or Treasurer in accordance with sub-clause (2).

(2) For the purposes of subclause (1)(b), any 2 of the Captain, Secretary or Treasurer may authorise in writing the use of electronic banking to draw on the funds of a bush fire brigade.

7.4 Disclosure of interests

(1) A brigade member must disclose any financial interest (whether direct or indirect) he or she may have in any matter being considered at a Committee or other bush fire brigade meeting.

(2) If a financial interest has been disclosed under subclause (1), then the brigade member must not vote on that matter.

PART 8—GRIEVANCE AND DISPUTES RESOLUTION

8.1 Grievance and dispute resolution process

(1) Any grievance or dispute between bush fire brigade members must be reported to the Captain in writing in the first instance. Where the Captain is directly involved in the subject of a particular grievance or dispute, the report on the matter must be in writing to the Chief Bush Fire Control Officer.

(2) The Captain in consultation with the Chief Bush Fire Control Officer will arrange to formally interview the parties involved to gather the facts and investigate. If the Captain or the Chief Bush Fire Control Officer are parties associated with a particular grievance or dispute they will together, identify two other independent brigade officers to carry out the investigation.

(3) Following investigation, the Captain in consultation with the Chief Bush Fire Control Officer or the two other brigade officers undertaking the investigation as the case may be, are to prepare and present a written report to the Committee.

(4) The Committee is to make a determination on the allegation made using the principles of natural justice and either substantiate the claim or reject the claim.

(5) If the claim is substantiated the Committee may at its absolute discretion decide the appropriate course of action, which may include termination, suspension, mediation or further training.

(6) Where a bush fire brigade membership is suspended or termination the objection rights in clause 2.10 apply.

(7) All outcomes from any grievance or disputes lodged are to be in writing.

PART 9—CONDUCT

9.1 Personal behaviour

(1) Bush fire brigade members must—

- (a) act, and be seen to act, properly and professionally at all times, and in accordance with the requirements of the Act, Regulations, this local law and the Departments Standard Operating Procedures.
- (b) undertake their duties and functions impartially and in the best interests of the bush fire brigade and the local government, uninfluenced by fear or favour.
- (c) always act in good faith and observe the highest standards of honesty and integrity and avoid conduct which might suggest any departure from these standards.
- (d) spread no rumours, participate in gossip, or make allegations which are improper, false, or derogatory.
- (e) never use information obtained in the course of their brigade membership to the detriment of a bush fire brigade or the local government.
- (f) actively support the broad principles of diversity and inclusion and refrain from any form of conduct or behaviour that could be deemed to be bullying or harassment.

- (g) not use social media for any bush fire brigade purposes that could be considered negative and not in the best interests of the bush fire brigade.
- (h) follow lawfully directions and instructions.

9.2 Health and safety

Work health and safety is important. Brigade members must actively support their own safety and the safety of others when undertaking normal brigade activities.

Always wear protective clothing, if and where required, and never put yourself or anyone else in harm's way. Ensure you are trained in the use appliances and equipment and never undertake tasks you are assigned, operationally or otherwise, unless you hold the appropriate recognised training accreditation. All work place hazards, and any incident are to be reported through the chain of command immediately.

9.3 Shire resources

(1) All equipment and appliances of bush fire brigades, including land and building occupied, (Shire resources) are owned by the local government.

(2) Bush fire brigade members will—

- (a) be honest in their use of Shire resources and must not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- (b) use Shire resources entrusted to them effectively, economically, and only in the course of their duties;
- (c) ensure all checks are undertaken of appliance prior to use to ensure safe operability; and
- (d) not use any Shire resource for any private purpose.

9.4 Working with children

Where a bush fire brigade has cadet members or any other member under the age of 18 years, all brigade members must hold a valid Working with Children check.

9.5 Reporting suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour

Bush fire brigade members must report suspected unethical, fraudulent, dishonest, illegal, or corrupt behaviour within the bush fire brigade structure to the nominated local government public information disclosure (PID) officer. A contact list of PID officer can be found on the Public Sector Commissions website.

Dated 13 December 2023.

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

AUDRA R SMITH, Shire President.
KENN DONOHUE, Chief Executive Officer.



PERTH, TUESDAY, 19 DECEMBER 2023 No. 171 SPECIAL

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LOCAL GOVERNMENT ACT 1995

CITY OF MELVILLE

PARKING LOCAL LAW 2023

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LOCAL GOVERNMENT ACT 1995

CITY OF MELVILLE

PARKING 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 Melville resolved on 12 December 2023 to make the following local law.

PART 1—PRELIMINARY

1.1 Citation

This local law shall be cited as the *City of Melville Parking Local Law 2023*.

1.2 Commencement

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

1.3 Repeal

The *City of Melville Parking Local Law 2016* published in the *Government Gazette* on 3 November 2016 is repealed on the day this local law comes into operation.

1.4 Application

- (1) Except as set out in this clause, this local law applies throughout the district.
- (2) This local law does not apply to—
 - (a) the approach and departure prohibition areas of all traffic control signal installations as determined by the Commissioner of Main Roads;
 - (b) the prohibition areas that apply to all bridges as determined by the Commissioner of Main Roads; or
 - (c) any road that 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.
- (3) This local law does not apply to a parking facility or a parking station that is not owned, managed or controlled by the local government, unless the local government and the owner or occupier of that facility or station have agreed in writing that this local law will apply to that facility or station.
- (4) An agreement referred to in subclause (3) may be made on such terms and conditions as the parties may agree.

1.5 Interpretation

In this local law unless the context requires otherwise—

Act means the *Local Government Act 1995*;

appropriate fee means the fee appropriate to the period for which a vehicle has been parked;

authorised person means a person appointed by the CEO under section 9.10(2) of the Act to perform any of the functions of an authorised person under this local law;

authorised vehicle means a vehicle—

- (a) authorised by the CEO or an authorised person, or by any written law, to stop or park in an area which is designated by signs for the parking of authorised vehicles only; or
- (b) owned or controlled by the local government and being used for the purpose of undertaking a function of the local government;

bank note means an Australian note that is legal tender under section 36(1) of the *Reserve Bank Act 1959* (Cth);

bay includes a stall or space;

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 lane 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, in relation to a carriageway, has the meaning given to it by the Code;

CEO means the Chief Executive Officer of the local government;

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

Code means the *Road Traffic Code 2000*;

- coin** means a coin that is legal tender under the *Currency Act 1965* (Cth);
- commercial vehicle** has the meaning given to it in the City of Melville local planning scheme;
- disability parking permit** has the meaning given to it in the *Local Government (Parking for People with Disabilities) Regulations 2014*;
- district** means the district of the local government;
- driver** means any person driving, or in control of, a vehicle;
- detection device** means an electronic device placed in any position to detect or record the parking time of a vehicle on any road, parking facility or other public place and includes any instruments, display panels or transmitting apparatus associated with the device;
- edge line** has the meaning given to it by the Code;
- electronic parking ticket** means a parking ticket issued in an electronic form;
- emergency vehicle** has the meaning given to it by the Code;
- entrance ticket** means a ticket or token issued by a machine—
- (a) installed at an entrance to a parking station; and
 - (b) which authorises the parking of a vehicle in a parking station, parking space or part of a parking station;
- fee**, or **parking fee**, means the prescribed amount of legal tender that the local government may, from time to time, determine and impose 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;
- intersection** has the meaning given to it by the Code;
- keep clear marking** has the meaning given to it by the Code;
- kerb** means the raised edge marking the boundary between a carriageway and the median strip or adjoining verge, whether any footpath has been constructed or not;
- loading zone** has the meaning given to it by the Code;
- local government** means the City of Melville;
- local planning scheme** means the local planning scheme, or each of the local planning schemes, made by the local government and in force from time to time under the *Planning and Development Act 2005*;
- lot** has the meaning given to it in the *Planning and Development Act 2005* or the *Strata Titles Act 1985*, according to context;
- mail zone** has the meaning given to it by the Code;
- median strip** has the meaning given to it by the Code;
- metered space** or **metered bay** 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 or otherwise;
- metered zone** means any thoroughfare or reserve or part of any thoroughfare or reserve in which parking meters or ticket issuing machines regulate parking of vehicles;
- motorcycle** has the meaning given to it by the Code;
- motorised wheelchair** has the meaning given to it by the Code;
- motor vehicle** has the meaning given to it by the *Road Traffic (Administration) Act 2008*, but does not include a motorised wheelchair, motorised scooter, electric rideable device or electric personal transporter;
- no parking area** has the meaning given to it by the Code;
- no stopping area** has the meaning given to it by the Code;
- obstruction** has the meaning given to it by the Code;
- occupier**, where used in relation to land, has the meaning given to it by the Act;
- on-demand passenger transport service** has the meaning given to it by the *Transport (Road Passenger Services) Act 2018*;
- on-demand rank or hail passenger transport service** has the meaning given to it by the *Transport (Road Passenger Services) Act 2018*;
- on-demand vehicle** has the meaning given to it by the *Transport (Road Passenger Services) Act 2018*;
- one-way carriageway** has the meaning given to it by the Code;
- owner**—
- (a) where used in relation to a vehicle licensed under the *Road Traffic (Vehicles) Act 2012*, 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 by the Code;
- park** has the meaning given to it by the Code;

parking app means a mobile or web application commissioned by the local government for the purpose of purchasing or obtaining an electronic parking ticket;

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

parking facilities includes—

- (a) land, thoroughfares, reserves, buildings, shelters, parking stations, parking spaces or bays, metered zones, metered bays or spaces, and other facilities open to the public generally for the parking of vehicles, with or without charge; and
- (b) signs, notices, ticket issuing machines, parking meters, detection devices and other facilities or instruments used in connection with the parking of vehicles;

parking meter means a machine or device that, as a result of payment by any permitted means, indicates (with or without the issue of a parking ticket) the period during which it is lawful for a vehicle to remain parked in a metered space or bay to which the machine or device relates;

parking permit, or **permit**, means—

- (a) a parking permit issued under this local law; or
- (b) a parking permit issued under a repealed parking local law of the local government where the permit is in force immediately prior to the commencement of this local law under clause 1.3,

but does not include a permit where any of the particulars recorded upon it have been altered, added to or defaced in any way;

parking region means the area to which this local law applies, as described in clause 1.4;

parking session means a transaction by which a person purchases or obtains an electronic parking ticket;

parking space means a section or part of a thoroughfare, reserve 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 stop or be parked, whether on payment of a fee or charge or otherwise, but does not include a metered bay or space;

parking station means any land, building or other structure provided for the purpose of accommodating parked vehicles, but does not include a metered zone or a metered bay or space;

parking ticket means a ticket, whether printed or electronic, that—

- (a) is issued from a ticket issuing machine;
- (b) authorises the parking of a vehicle in a parking space, parking station or part of a parking station; and
- (c) includes the date and time that the authorisation expires, whether or not the payment of a fee is required,

but does not include a ticket where any of the particulars recorded upon it have been altered, added to or defaced in any way;

path has the meaning given to it in the Code;

pay station means a machine or device that, after receipt of a payment of a parking fee in respect of a vehicle, either—

- (a) issues a ticket to activate an exit barrier in the parking station; or
- (b) otherwise enables the exit barrier of the parking station to be activated, so as to enable egress of the vehicle 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;

permitted payment means payment by Australian coins or bank notes, credit or debit card or any other method of payment approved by the local government as indicated on the parking meter or ticket issuing machine;

place of refuge for pedestrians includes any area or place which is open to or used by the public and not ordinarily intended for the stopping, parking or movement of vehicles, and also includes any physical provision or area demarcated by the marking of lines or otherwise identified by a sign;

property line means the boundary between the land comprising a thoroughfare, and the land that abuts the thoroughfare, whether that land is publicly or privately owned;

public bus has the meaning given to it by the Code;

public place includes—

- (a) any thoroughfare or place which the public are allowed to use, whether or not the thoroughfare or place is on private property; and
- (b) a reserve;

regular passenger transport service has the meaning given to it in the *Transport (Road Passenger Services) Act 2018*;

reserve means any land—

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

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

residential parking permit means a permit issued by the local government pursuant to the provisions of clause 4.4;

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—

- (d) a private driveway; or
- (e) a right of way created by easement between two parties;

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

road marking has the meaning given to it by the Code;

Schedule means a Schedule to this local law;

shared path has the meaning given to it by the Code;

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

sign includes a traffic sign, inscription, road marking, mark, structure or device on which may be shown words, numbers, expressions or symbols, that is—

- (a) approved by the local government; and
- (b) placed, marked or erected on, near or within a thoroughfare, reserve or parking station for the purpose of prohibiting, regulating, guiding, directing or restricting stopping or parking of vehicles;

special purpose vehicle has the meaning given to it by the Code;

stop, in relation to a vehicle, has the meaning given to it by the Code;

street has the same meaning as **thoroughfare**;

symbol includes any symbol specified by the *Road Traffic Code 2000* for use in the regulation of parking;

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 section 1.4 of the Act, and includes any carriageway, median strip, verge and path within the area bounded by the property lines of the lots abutting the thoroughfare;

ticket issuing machine in relation to a parking station or parking space, means a machine or device that issues a parking ticket, whether or not for payment of a fee, showing the period of time during which, or the expiry time before which, a vehicle may lawfully be parked in a parking space;

tour coach means a bus which is—

- (a) used to provide a tourism passenger transport service; or
- (b) hired or chartered for the specific purpose of sightseeing or tourism;

tourism passenger transport service has the meaning given to it in the *Transport (Road Passenger Services) Act 2018*;

trailer has the meaning given to it by the Code;

transit lane has the meaning given to it by the Code;

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

unexpired parking ticket means a ticket, whether paper or electronic, on which a date and expiry time is printed or displayed, and that 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;

Veteran Gold Card means a Gold Card, Veteran Gold Card or Repatriation Health Card issued by the Department of Veterans' Affairs;

visitor's parking permit means a permit issued by the local government pursuant to clause 4.4; and

wheeled recreational device has the meaning given to it in the Code.

1.6 Application of particular definitions

- (1) In this local law, unless the context requires otherwise, a reference to a thoroughfare, 'parking station', 'metered zone', 'parking facility' or 'reserve' includes a reference to, as the case may be, any part of a thoroughfare, parking station, metered zone, parking facility or reserve.
- (2) For the purpose of the application of the definitions 'bus zone', 'loading zone', 'mail zone', 'taxi zone', 'no parking area', 'no stopping area', 'parking area' and similar definitions, 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 sign were turned at an angle of less than 90 degrees until parallel with the boundary.
- (3) A reference to the wording of any sign in this local law shall also be deemed to include a reference to the corresponding symbol.
- (4) Unless the context otherwise requires, where a term is used, but not defined, in this local law, and that term is defined in the Act, the *Transport (Road Passenger Services) Act 2018*, the *Road Traffic Act 1974*, the *Road Traffic (Administration) Act 2008*, the *Road Traffic (Vehicles) Act 2012* or in the Code, then the terms shall have the meaning as in those Acts or the Code.

1.7 Part of thoroughfare to which a sign applies

- (1) Where under this local law the use, driving, stopping, parking or leaving 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; and
 - (c) is on that side of the thoroughfare nearest to the sign.

1.8 Pre-existing signs

- (1) A sign that—
 - (a) was erected by the local government or the Commissioner of Main Roads before the commencement of this local law; and
 - (b) relates to the parking of vehicles within the parking region,shall be deemed for the purpose of this local law to have been erected by the local government under the authority of this local law.

1.9 Vehicle and driver classification

- (1) For the purposes of this local law vehicles are divided into the following classes—
 - (a) buses;
 - (b) caravans and trailers;
 - (c) motorcycles;
 - (d) taxis and other on-demand passenger transport vehicles;
 - (e) commercial vehicles;
 - (f) tour coaches;
 - (g) bicycles;
 - (h) authorised, emergency and special purpose vehicles;
 - (i) plug-in electric vehicles as defined in clause 7.1; and
 - (j) all other vehicles not otherwise classified.
- (2) For the purposes of this local law, drivers are divided into the following classes—
 - (a) authorised persons;
 - (b) employees of the local government;
 - (c) customers or patrons of a shop, shopping centre, premises in which personal services are provided, facility or event;
 - (d) persons who work in a shop, shopping centre or premises in which personal services are provided;
 - (e) persons with special needs, including those relating to disability, age or care of infants; and
 - (f) all other persons not otherwise classified.

1.10 Alternative methods of payment

- (1) In this clause, **alternative method of payment** means a permit, invoice, ticket or pass issued electronically or otherwise by the local government in return for payment, authorising a person to park according to the terms and conditions of the authorisation.
- (2) A person who has been authorised by the local government to use an alternative method of payment for parking is exempt from paying fees at the relevant parking facility providing that he or she complies with the terms of the Alternative Method of Payment.
- (3) An alternative method of payment may not be used by any person other than the person who received authorisation by the local government.

PART 2—PARKING STATIONS**2.1 Determination of parking spaces and parking stations**

- (1) The local government may, by resolution, constitute, determine and vary—
 - (a) parking stations;
 - (b) parking spaces;
 - (c) permitted time and conditions of stopping or parking in parking spaces and parking stations, which may vary by locality;
 - (d) permitted classes of vehicles which may stop or park in parking spaces and parking stations;
 - (e) permitted classes of persons who may stop or park in parking spaces and parking stations; and
 - (f) the manner of stopping or parking in parking spaces and parking stations.
- (2) Where the local government makes a determination under subsection (1), it must erect signs to give effect to that determination.

2.2 Determination of parking fees for parking in a parking station

- (1) The local government may determine and impose a fee for the stopping or parking of a vehicle in a parking station, under and in accordance with sections 6.16 to 6.19 of the Act.
- (2) A reference in this Part to a 'fee' means a fee imposed in accordance with subclause (1).
- (3) The local government may, by resolution, waive the parking fee in a specified parking station—
 - (a) at certain days and times;
 - (b) for specified classes of person or vehicle; or
 - (c) for a specified period of time after the vehicle first enters the parking station (*'fee free period'*).

2.3 Payment of fee to park in a parking station

- (1) Subject to clause 2.2(3), a person must not stop, park or permit a vehicle to remain parked in a parking station during any period unless—
 - (a) in the case of a parking station having an attendant on duty, the person obtains a parking ticket when demanded;
 - (b) in the case of a parking station equipped with a pay by plate ticket machine, the person obtains a valid parking session by any form of permitted payment at the parking meter, pay by plate ticket machine or by use of the parking app
 - (c) in the case of a parking station equipped with a pay station, the person—
 - (i) obtains an entrance ticket; and
 - (ii) where the payment of a fee is required, before the vehicle departs the parking station, pays, by any form of permitted payment, the appropriate fee to the pay station; or
 - (d) in the case of a parking station where the use of a parking app is permitted, the person—
 - (i) commences a parking session via the parking app;
 - (ii) receives confirmation from the parking app that parking session has commenced;
 - (iii) ensures the parking session remains active at all times while the vehicle is stopped or parked; and
immediately before the vehicle is driven from where it has been stopped or parked, finishes the parking session.
- (2) A parking ticket or electronic ticket entitles a person to stop or park a vehicle in a parking space in a parking station for the period stated on the ticket.
- (3) Where a parking fee is waived under clause 2.2(3)(c), a person must not, when the initial fee free period expires—
 - (a) immediately obtain another parking ticket or commence another parking session for the purpose of extending the total free time of parking; or
 - (b) move the vehicle within, or exit and return to the parking station, for the purpose of extending the total free time of parking, unless the vehicle has been removed from the parking station for a minimum of twelve hours.

2.4 Payment of fee does not authorise otherwise prohibited conduct

The payment of a fee referred to in clause 2.2 does not authorise the stopping or parking of a vehicle in a parking station where it is otherwise prohibited—

- (a) under this local law;
- (b) by a sign on a ticket issuing machine referable to the parking station; or
- (c) by a sign referable to the parking space.

2.5 Time restrictions for stopping or parking in a parking station

- (1) A person must not stop, park or permit a vehicle to remain parked in a parking station for longer than the maximum period, if any, stated on a sign or a ticket issuing machine referable to the parking station.

- (2) Where the stopping or parking of vehicles in a parking station is permitted for a limited period of time, and a vehicle has been stopped or parked in that parking station for that length of time, a person must not stop or park that vehicle again in the parking station unless it has been removed from the parking station for at least one hour.

2.6 General prohibitions on stopping or parking in a parking station

- (1) A person must not stop, park or permit a vehicle to remain parked in a parking station—
- (a) if the stopping or parking of vehicles is prohibited by a sign;
 - (b) during a period in which the stopping or parking of vehicles is prohibited by a sign; or
 - (c) if a sign specifies that a parking space within the parking station is for the stopping or parking of vehicles—
 - (i) of a different class; or
 - (ii) driven by a person of a different class.
- (2) A person must not stop, park or permit a vehicle to remain parked in a parking station—
- (a) so as to obstruct an entrance to, or exit from, a parking station, or an access way within a parking station;
 - (b) so that any portion of the vehicle is on or over a footpath or place of refuge for pedestrians; or
 - (c) otherwise than wholly within a parking space.

2.7 Display of tickets in parking stations

- (1) A person must not stop, park or permit a vehicle to remain parked in a parking station during any period for which a fee is payable unless—
- (a) an unexpired parking ticket issued by a ticket issuing machine referable to the parking station is—
 - (i) displayed inside the vehicle; and
 - (ii) the date, expiry time and number (if any) on the ticket is clearly visible to, and able to be read by, an authorised person from outside the vehicle at all times while the vehicle is stopped or parked in the parking station.
- (2) Clause 2.7(1) only applies to payment made in accordance with clause 2.3(1)(b), where a hard copy parking ticket is issued.

2.8 Behaviour in parking stations

- (1) A person must not—
- (a) drive in a parking station in a direction other than the direction indicated by a sign;
 - (b) unless otherwise authorised by a sign referable to the parking space—stop, park or permit a vehicle to remain parked in a parking space within a parking station if that parking space is occupied by another vehicle; or
 - (c) sell, hire, give away, offer or expose for sale or hire anything of any nature, unless that person has the prior written permission of the local government to do so.

PART 3—METERED ZONES

3.1 Determination of metered spaces and metered zones

- (1) The local government may, by resolution, constitute, determine and vary—
- (a) metered zones;
 - (b) metered spaces;
 - (c) permitted time and conditions of stopping or parking in metered spaces and metered zones, which may vary by locality;
 - (d) permitted classes of vehicles which may stop or park in metered spaces and metered zones;
 - (e) permitted classes of persons who may stop or park in metered spaces and metered zones; and
 - (f) the manner of stopping or parking in metered spaces and metered zones.
- (2) Where the local government makes a determination under subsection (1) it must erect signs to give effect to that determination.

3.2 Determination of parking fees for parking in a metered zone

- (1) The local government may determine and impose a fee for the stopping or parking of a vehicle in a metered zone, under and in accordance with sections 6.16 to 6.19 of the Act.
- (2) A reference in this Part to a ‘fee’ means a fee imposed in accordance with subclause (1).
- (3) The local government may, by resolution, waive the parking fee in a specified metered zone—
- (a) at certain days and times;
 - (b) for specified classes of person or vehicle; or
 - (c) for a specified period of time after the vehicle first enters the metered zone (*‘fee free period’*).

3.3 Payment of fee to park in a metered zone

- (1) Subject to clause 3.2(3), a person must not stop, park or permit a vehicle to remain parked in a metered zone during any period unless—

- (a) in the case of a metered zone where the use of a parking app is permitted, the person—
 - (i) commences a parking session via the parking app;
 - (ii) receives confirmation from the parking app that parking session has commenced;
 - (iii) ensures the parking session remains active at all times while the vehicle is stopped or parked; and
 - (iv) immediately before the vehicle is driven from where it has been stopped or parked, finishes the parking session.

A parking ticket or electronic ticket entitles a person to stop or park a vehicle in a metered space in a metered zone for the period indicated on the meter or the ticket.

- (2) Where a parking fee is waived under clause 3.2(3)(c), a person must not, when the initial fee free period expires—
 - (a) immediately obtain another parking ticket or commence another parking session for the purpose of extending the total free time of parking; or
 - (b) move the vehicle within, or exit and return to the metered zone, for the purpose of extending the total free time of parking, unless the vehicle has been removed from the metered zone for a minimum of twelve hours.

3.4 Payment of fee does not authorise otherwise prohibited conduct

- (1) The payment of a fee referred to in clause 3.2 does not authorise the stopping or parking of a vehicle in a metered zone where it is otherwise prohibited—
 - (a) under this local law;
 - (b) by a sign on a parking meter or ticket issuing machine referable to the metered zone; or
 - (c) by a sign referable to the metered space.

3.5 Time restrictions for stopping or parking in a metered zone

- (1) A person must not stop, park or permit a vehicle to remain parked in a metered zone for longer than the maximum period, if any, stated on a sign, parking meter or a ticket issuing machine referable to the metered zone.
- (2) Where the stopping or parking of vehicles in a metered zone is permitted for a limited period of time, and a vehicle has been stopped or parked in the metered zone for that length of time, a person must not stop or park that vehicle again in the metered zone unless it has been removed from the metered zone for at least one hour.

3.6 General prohibitions on stopping or parking in a metered zone

- (1) A person must not stop, park or permit a vehicle to remain parked in a metered zone—
 - (a) if the stopping or parking of vehicles is prohibited by a sign;
 - (b) during a period in which the stopping or parking of vehicles is prohibited by a sign; or
 - (c) if a sign specifies that a metered space within the metered zone is for the stopping or parking of vehicles—
 - (i) of a different class; or
 - (ii) driven by a person of a different class.
- (2) Unless otherwise authorised by a sign referable to the metered space, a person must not stop, park or permit a vehicle to remain parked within a metered space in a metered zone if that metered space is occupied by another vehicle.
- (3) Subject to subclause (4) a person must not stop, park or permit a vehicle to remain parked in a metered bay in a thoroughfare otherwise than—
 - (a) parallel to and as close to the kerb as practicable; and
 - (b) wholly within the metered space.
- (4) Where a vehicle is too long or too wide to fit completely within a single metered bay and the bay is parallel to the kerb, then the person parking the vehicle may park across the minimum number of metered spaces needed to park the vehicle.
- (5) Where subclause (4) applies, the person must pay the appropriate fee for each metered bay occupied and, where applicable, display each parking ticket in accordance with clause 3.7.

3.7 Display of tickets in metered zones

- (1) A person must not stop, park or permit a vehicle to remain parked in a metered zone during any period for which a fee is payable unless—
 - (a) an unexpired parking ticket issued by a ticket issuing machine referable to the parking station is—
 - (i) displayed inside the vehicle; and
 - (ii) the date, expiry time and number (if any) on the ticket is clearly visible to, and able to be read by, an authorised person from outside the vehicle at all times while the vehicle is stopped or parked in the metered zone.
- (2) Clause 3.7(1) only applies to payment made in accordance with clause 3.3(1)(b), where a hard copy parking ticket is issued.

PART 4—PARKING PERMITS**4.1 Application of Part**

- (1) This Part applies to—
 - (a) Residential parking permits;
 - (b) Visitor parking permits; and
 - (c) Veteran Total and Permanently Incapacitated (TPI) permits.

4.2 Eligibility for a parking permit*Residential parking permits*

- (1) A person who is the owner or occupier of a dwelling in the district and who resides in the dwelling may apply in writing to the local government for the issue of a—
 - (a) residential permit in relation to a registered vehicle for which that person is the owner.

Visitor parking permits

- (2) A person who is the owner or occupier of a dwelling in the district and who resides in the dwelling may apply in writing to the local government for the issue of a—
 - (a) visitor's permit.

Veteran Total and Permanently Incapacitated (TPI) permits

- (3) A person who resides in the district and who holds a valid Veteran Gold Card marked with the letters 'TPI' or words 'Totally & Permanently Incapacitated' may apply in writing to the local government for the issue of a—
 - (a) Veteran Total and Permanently Incapacitated (TPI) permit.

4.3 Application for a parking permit

- (1) An application for a parking permit must—
 - (a) be made in the form prescribed by the local government;
 - (b) be signed by the applicant;
 - (c) provide the information required by the form; and
 - (d) be accompanied by any fee determined and imposed by the local government under and in accordance with sections 6.16 to 6.19 of the Act.
- (2) The local government may require an applicant to, within 7 days, provide additional information reasonably related to an application before determining an application for a permit.
- (3) The local government may refuse to consider an application of a permit—
 - (a) which is not made in accordance with subclause (1); or
 - (b) where the applicant has not provided any additional information required under subclause (2).

4.4 Decision on application for permit

- (1) The local government may, in respect of an application made under clause 4.3—
 - (a) approve it, whether unconditionally or subject to any conditions the local government considers appropriate; or
 - (b) refuse to approve it.
- (2) The local government must decide whether or not to grant a permit within 21 days.
- (3) Where the local government approves an application for a permit, it must issue the applicant a permit in the form prescribed by the local government.
- (4) Where the local government refuses to approve an application for a permit, it must give written notice of the decision, together with the grounds and reasons, to the applicant.
- (5) Where the local government has not made a decision within the time mentioned in subclause (2), it is taken to have refused to grant a permit, and any fee payable under clause 4.3(1)(d) is to be refunded to the applicant.
- (6) The local government may, at any time, amend a condition of approval, and the amended condition takes effect 14 days after written notice of it is given to the permit holder.

4.5 Form and content of parking permit

- (1) A parking permit issued under this Part must set out—
 - (a) the permit number;
 - (b) the name of the thoroughfare to which the permit applies; and
 - (c) the date on which the permit expires.
- (2) Residential and Veteran Total and Permanently Incapacitated permits must also set out—the registration of the vehicle.

4.6 Validity of a permit

- (1) A parking permit issued under this Part ceases to be valid upon—
 - (a) the expiry date, if any, specified in the permit;
 - (b) the holder of the permit ceasing to be eligible for a permit;
 - (c) the revocation of the permit by the local government under clause 4.8; or

- (d) the replacement of the permit by a new permit issued under clause 4.9.
- (2) Where a permit ceases to be valid, the permit holder must immediately—
 - (e) cease to use and display the permit; and
 - (f) in the case where the permit holder has ceased to be eligible—notify the local government in writing that they have ceased to be eligible.
- (3) Where a parking permit becomes invalid under subclause (1)(a), the permit holder may apply for a renewal of their permit.
- (4) An application for a renewal of a parking permit under subclause (3) must—
 - (a) be made in the form prescribed by the local government;
 - (b) be signed by the applicant;
 - (c) provide the information required by the form; and
 - (d) be accompanied by any fee determined and imposed by the local government under and in accordance with sections 6.16 to 6.19 of the Act.

4.7 Effect of parking permit

Residential and visitors parking permits

- (1) The holder of a residential or visitors parking permit issued under this Part is exempt from—
 - (a) a prohibition against the stopping or parking of vehicles on a thoroughfare for more than a specified period of time; and
 - (b) the requirement to pay a fee to stop or park a vehicle in a metered zone.
- (2) The exemption under subclause (1) applies only—
 - (a) to a thoroughfare or metered zone specified in the permit, except where it is adjacent to retail premises where the parking of all vehicles is subject to time restrictions;
 - (b) where the permit specifies a particular vehicle—to the vehicle specified in the permit;
 - (c) where the approval of the permit is subject to conditions—where those conditions are met;
 - (d) if the permit is displayed in 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 is stopped or parked in an area to which the permit relates; and
 - (e) if the permit is valid.

Veteran Total and Permanently Incapacitated (TPI) permits

- (3) The holder of a Veteran Total and Permanently Incapacitated (TPI) permit is exempt from the requirement to pay a fee to stop or park a vehicle in a metered zone or parking station.
- (4) The exemption under subclause (3) applies only—
 - (a) where the approval of the permit is subject to conditions—where those conditions are met;
 - (b) if the permit is displayed in 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 is stopped or parked in an area to which the permit relates; and
 - (c) if the permit is valid.

4.8 Revocation of a parking permit

- (1) The local government may, at any time, revoke a parking permit which has been issued under this Part if the permit holder breaches any of the conditions for its use or when the permit holder ceases to be eligible for a permit.
- (2) Where the local government determines to revoke a parking permit under subclause (1), it must give written notice of the decision, together with the grounds and reasons, to the permit holder.
- (3) A revocation under subclause (1) takes effect 14 days after the written notice in subclause (2) is given to the permit holder.

4.9 Replacement of a permit

- (1) The local government may, upon written application by the permit holder, issue a replacement permit for parking permits which are lost, misplaced, destroyed or stolen.
- (2) The written application must—
 - (a) be made in the form prescribed by the local government;
 - (b) be signed by the applicant;
 - (c) provide the information required by the form; and
 - (d) be accompanied by any fee imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the Act.
- (3) The local government may require an applicant to, within 7 days, provide additional information reasonably related to the application before determining an application for a permit.
- (4) The local government may refuse to consider an application—
 - (a) which is not made in accordance with subclause (2); or
 - (b) where the applicant has not provided any additional information required under subclause (3).

PART 5—STOPPING AND PARKING GENERALLY**5.1 Power to prohibit and regulate**

The local government may, by resolution, prohibit, restrict or regulate, by signs or otherwise, the stopping or parking of any vehicle, class of vehicle, or of any class of person or vehicle, or both, but must do so consistently with the provisions of this local law.

5.2 Authorised vehicle zones

- (1) The local government may, by the use of signs, set aside any parking station, parking space, metered zone or metered bay, for the parking of authorised vehicles only.
- (2) A person must not stop, park or permit a vehicle to remain parked in an area designated by a sign for the parking of 'Authorised Vehicles Only', unless—
 - (a) the vehicle is an authorised vehicle;
 - (b) a valid permit is displayed inside the vehicle; and
 - (c) the permit is clearly visible to, and able to be read by, an authorised person from outside the vehicle at all times while the vehicle is stopped or parked in the designated area.
- (3) Clause 5.2 has effect notwithstanding any other provision under this local law or any sign referable to the area.

5.3 Construction site work zones

- (1) In this clause, unless the context otherwise requires—

builder has the same meaning given to it in the *Building Services (Complaint Resolution and Administration) Act 2011*;

construction site means any land subject to development;

construction site vehicle means a commercial vehicle or heavy vehicle used on a construction site to facilitate development of the site;

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

heavy vehicle has the meaning given to it in the Code; and

work zone means any road or part of a road, whether or not marked as a metered space or parking space, set aside by the local government by the use of a sign, for a period specified on the sign, for the parking of construction site vehicles.
- (2) An eligible person seeking to establish a work zone adjacent to a construction site may apply in writing to the local government for approval.
- (3) The local government may, in respect of an application made under subclause (2)—
 - (a) approve it, whether unconditionally or subject to any conditions as the local government considers appropriate; or
 - (b) refuse to approve it.
- (4) The local government must decide whether or not to grant approval within 21 days.
- (5) Where the local government approves an application made under subclause (2), it must give the applicant written notice specifying—
 - (a) the portion of road approved for use as a work zone;
 - (b) the terms of the approval and the times during which the parking of construction site vehicles in the work zone is permitted;
 - (c) any conditions applicable to the approval;
 - (d) the amount of any establishment fee determined and imposed by the local government under and in accordance with sections 6.16 to 6.19 of the Act; and
 - (e) the amount of any daily fee determined and imposed by the local government under and in accordance with sections 6.16 to 6.19 of the Act.
- (6) Within 14 days from the date of the payment of any establishment fee, or from the date of the written notice when no establishment fee is to be paid, the local government is to set aside a work zone in accordance with the notice referred to in subclause (3).
- (7) The applicant 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.
- (8) The daily fee is payable in arrears, on the first day of each month.
- (9) Where the local government approves an application made under subclause (2), the local government may cancel its approval by written notice to the applicant if—
 - (a) the applicant, or any person authorised by the applicant to use the work zone, stops or parks a vehicle otherwise than in accordance with a term of approval or condition of approval specified in the notice issued to the applicant under subclause (5);
 - (b) the applicant fails to pay the daily fee as required under subclause (5); or
 - (c) the local government or an authorised person requires access to or near the place where the work zone is situated, for the purposes of carrying out works in or near that place.

- (10) A revocation under subclause (9) takes effect 3 days after the written notice in subclause (9) is given to the permit holder.
- (11) A person must not park a vehicle in a work zone unless—
 - (a) the vehicle is a construction site vehicle;
 - (b) the vehicle is parked during a time in which the parking of a construction site vehicle on that zone is permitted by a sign; and
 - (c) a person is continuously engaged in loading or unloading goods—
 - (i) to or from the construction site vehicle; and
 - (ii) to or from the construction site.

5.4 Temporary event parking

- (1) A community or sporting organisation organising an event on a reserve may apply in writing to the local government for approval to allow patrons of the event to park in a specified part of that reserve.
- (2) An application for temporary event parking approval must—
 - (a) be made in the form prescribed by the local government; and
 - (b) provide the information required by the form.
- (3) The local government may, in respect of an application made under subclause (1)—
 - (a) approve it, whether unconditionally or subject to any conditions as the local government considers appropriate; or
 - (b) refuse to approve it.
- (4) The local government must decide whether or not to grant approval within 21 days.
- (5) Where the local government approves an application made under subclause (1), it must give the applicant written notice specifying—
 - (a) the area within the reserve that may be used for the event parking;
 - (b) the day and time period for which the approval is valid; and
 - (c) conditions applying to the management of public parking at the event, including but not limited to—
 - (i) signage;
 - (ii) maximum number of vehicles allowed to park in the reserve;
 - (iii) pedestrian safety measures; and
 - (iv) requirements for managing the movement of vehicles between the event parking area and the nearest public road.
- (6) An organisation granted approval to use part of a reserve for the purposes of event parking must not charge patrons a fee to park in the reserve.

5.5 Temporary parking restrictions

- (1) The local government may, by the use of signs or other means, temporarily restrict or prohibit parking in any parking station, parking space, metered zone or metered bay for the purpose of carrying out urgent, essential or official functions of the local government.
- (2) Unless authorised by the local government, a person must not stop, park or permit a vehicle to remain parked in an area where temporary parking restrictions apply.
- (3) Clause 5.5 has effect notwithstanding any other provision under this local law or any sign referable to the area.

5.6 Parking in a parking space designated for the use of persons with disabilities

Unauthorised parking in a space designated for the use of persons with disabilities is dealt with in the *Local Government (Parking for People with Disabilities) Regulations 2014*.

5.7 Parking on private land

- (1) In this clause, a reference to 'land' does not include land which is—
 - (a) a reserve;
 - (b) the subject of an agreement referred to in clause 1.4(3); or
 - (c) a parking station or a metered zone.
- (2) A person must not stop, park or permit a vehicle to remain parked 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 or drivers 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 that consent.

5.8 Parking on reserves

- (1) A person must not stop, park or permit a vehicle to remain parked on a reserve, otherwise than within a parking station, unless the person—
 - (a) is an employee of the local government in the course of their duties; or
 - (b) has obtained prior written permission from the local government; or
 - (c) clause 5.4 applies.

5.9 Heavy and bulky vehicle parking

- (1) A person must not stop, park or permit a vehicle or any combination of vehicles that, together with anything in or on that vehicle or vehicles, exceeds a GVM of 4.5 tonnes—
 - (a) on a thoroughfare for more than 4 hours consecutively; or
 - (b) on a thoroughfare for the purpose of repairing, servicing or cleaning that vehicle.

5.10 Over-length vehicle parking

- (1) A person must not stop, park or permit a vehicle or any combination of vehicles that, together with anything in or on that vehicle or vehicles, is more than 10 metres in length, on a carriageway for any period exceeding 1 hour during any 24-hour period.

5.11 Stopping in a taxi zone or bus zone

- (1) A driver must not stop, park or permit a vehicle to remain parked in a taxi zone unless the driver is driving an on-demand vehicle engaged in providing an on-demand rank or hail passenger transport service.
- (2) A driver must not stop, park or permit a vehicle to remain parked 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 the vehicle must not leave the vehicle unattended.

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

- (1) A driver must not stop, park or permit a vehicle to remain parked in—
 - (a) a bus lane;
 - (b) a transit lane; or
 - (c) a bicycle lane,unless the driver is driving a public bus or on-demand vehicle providing an on-demand rank or hail passenger transport service, and is dropping off, or picking up, passengers.

5.13 Stopping in a shared zone

- (1) A driver must not stop, park or permit a vehicle to remain parked 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 space and the driver is permitted to stop in the parking space under this local law;
 - (c) the driver is dropping off, or picking up, passengers or goods; or
 - (d) the driver is engaged in door-to-door delivery or collection of goods, or in the collection of waste or garbage.

5.14 Stopping in a loading zone

- (1) A person must not stop, park or permit a vehicle to remain parked in a loading zone unless it is—
 - (a) a motor vehicle used for commercial or trade purposes engaged in the delivery or collection of goods to commercial premises reasonably adjacent to the loading zone in which the vehicle is stopped or parked; or
 - (b) a motor vehicle used for commercial or trade purposes engaged in the delivery of goods to residential premises reasonably adjacent to the loading zone in which the vehicle is stopped or parked,
but, in any event, must not remain in that loading zone—
 - (c) for longer than a time indicated on the 'loading zone' sign; or
 - (d) longer than 30 minutes (if no time is indicated on the sign).

5.15 Other limitations in zones

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

5.16 Vehicles not to obstruct a public place

- (1) A person must not leave a vehicle, or any part of a vehicle, in a public place so that it obstructs the lawful use of any part of that public place, unless that person has the prior written permission of the local government or is otherwise authorised under any written law.
- (2) An authorised person may deem a vehicle to be obstructing the use of a public place where—
 - (a) the vehicle is stopped or parked in a public place for a continuous period exceeding 24 hours.

PART 6—STOPPING AND PARKING ON THOROUGHFARES**6.1 Restrictions on parking in thoroughfares**

- (1) A person must not stop, park or permit a vehicle to remain parked on a thoroughfare—
 - (a) if the stopping or parking of vehicles is prohibited by a sign;
 - (b) during a period in which the stopping or parking of vehicles is prohibited by a sign;

- (c) if a sign specifies that the thoroughfare is for the stopping or parking of vehicles—
 - (i) of a different class; or
 - (ii) driven by a person of a different class;
 - (d) the side of which is marked with a continuous yellow edge line; or
 - (e) where the thoroughfare upon which the vehicle is stopped or parked is provided with parking spaces—other than wholly within a parking space.
- (2) Unless otherwise authorised by a sign referable to the thoroughfare, a person must not stop, park or permit a vehicle to remain parked within a parking space if that space is occupied by another vehicle.

6.2 Time restrictions for stopping or parking on a thoroughfare

- (1) A person must not stop, park or permit a vehicle to remain parked on a thoroughfare for longer than the maximum period, if any, stated on a sign referable to the thoroughfare, unless—
- (a) Clause 4.7 applies; or
 - (b) Regulation 174 of the Code applies.

6.3 Vehicles in motorcycle stalls

- (1) A person must not stop, park or permit a vehicle to remain parked in a parking space marked 'M/C' unless it is a motorcycle without a sidecar or trailer.

6.4 Parking a vehicle on a thoroughfare provided with marked parking spaces

- (1) A person must not stop, park or permit a vehicle to remain parked on a thoroughfare where parking spaces are marked otherwise than—
- (a) parallel to the kerb and as close to the kerb as practical; and
 - (b) headed in the direction of the movement of traffic on the part of the thoroughfare on which the vehicle is parked,
- unless otherwise exempted by the local government.
- (2) This clause does not apply to angled parking spaces.

6.5 Parking a vehicle on a carriageway where there are no marked parking spaces

- (1) Unless a sign referable to the parking area indicates otherwise, a person must not stop, park or permit a vehicle to remain parked on a carriageway not provided with marked parking space unless—
- (a) in the case of a two-way carriageway—the vehicle is as near as practicable to and parallel with, the left boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the vehicle is parked;
 - (b) in the case of a one-way carriageway—the vehicle is as near as practicable to and parallel with either boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the vehicle is parked;
 - (c) at least 3 metres of the width of the carriageway lies between the vehicle and the farther boundary of the carriageway, or any continuous dividing line, or dividing strip, or median strip, or between the vehicle and a vehicle parked on the farther side of the carriageway;
 - (d) the front or the rear of the vehicle respectively are not less than one metre from any other vehicle, except a motorcycle without a trailer, or a bicycle parked in accordance with this local law;
 - (e) the vehicle does not obstruct any vehicle on the carriageway; and
 - (f) no portion of the vehicle is on a median strip or painted island.
- (2) In this clause 'continuous dividing line' means—
- (a) a single continuous dividing line only;
 - (b) a single continuous dividing line to the left or right of a broken dividing line; or
 - (c) 2 parallel continuous dividing lines.

6.6 Parking a vehicle on a carriageway where angle parking applies

- (1) Subject to subclause (2), where a sign referable to a parking area is inscribed with the words 'angle parking' (or with an equivalent symbol depicting this purpose), a person stopping or 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 an inscription on the parking sign or by the marks on the carriageway.
- (2) This clause does not apply to—
- (a) a passenger vehicle or a commercial vehicle with a mass including any load, of more than 3 tonnes; or
 - (b) a person parking either a motorcycle without a trailer or a bicycle.

6.7 Parking near a fire hydrant or public post box

- (1) A person must not stop, park or permit a vehicle to remain parked on a thoroughfare so that any portion of the vehicle is within 1 metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug, unless—

- (a) the driver is driving a public bus, and the driver stops in a bus zone or at a bus stop and does not leave the bus unattended; or
 - (b) the driver is driving an on-demand vehicle engaged in providing an on-demand rank or hail passenger transport service, and the driver stops in a taxi zone and does not leave the vehicle unattended.
- (2) A person must not stop, park or permit a vehicle to remain parked on a thoroughfare so that any portion of the vehicle is within 3 metres of a public post box or within a mail zone, unless the vehicle is being used for the purpose of collecting postal articles from the post box.

6.8 Verge parking

- (1) A person must not stop, park or permit a vehicle to remain parked on a verge where a sign referable to that area prohibits the stopping or parking of vehicles on that verge.
- (2) A person must not drive, stop, park or permit a vehicle to remain parked on a verge in the absence of signs described in subclause (1) unless—
- (a) the person is the owner or the occupier of the lot abutting that portion of the verge;
 - (b) the person has the permission of the owner or the occupier of the lot abutting that portion of the verge;
 - (c) the person is an authorised person undertaking the duties for which they are authorised by the local government; or
 - (d) the person is acting under the authority of any written law.

6.9. Double parking

- (1) A person must not stop, park or permit a vehicle to remain parked on a carriageway so that any portion of the vehicle is between any stopped or parked 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 in accordance with this local law.

6.10 Bus stops, pedestrian and children's crossing

- (1) A person must not stop or park a vehicle on a thoroughfare so that any portion of the vehicle is within 20 m of the approach side of a bus stop, or within 10 m of the departure side of a bus stop, unless the vehicle is a public bus stopped to take up or set down passengers.
- (2) A person must not stop, park or permit a vehicle to remain parked in a bus stop except for the purpose of taking up or setting down passengers to or from such vehicle.
- (3) A person must not stop or park a vehicle on a thoroughfare so that any portion of the vehicle is—
- (a) within 20 m of the approach side of pedestrian or children's crossing; or
 - (b) within 10 m of the departure side of pedestrian or children's crossing.
- (4) In this clause, distances are measured in the direction in which the driver is driving.

6.11 Keep clear markings

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

6.12 Movement of vehicles to avoid time limitation

Where the stopping or parking of vehicles on a thoroughfare is permitted for a limited period of time, and a vehicle has been stopped or parked on that thoroughfare for that length of time, a person must not stop or park that vehicle again on the thoroughfare unless it has been removed from the thoroughfare for at least one hour.

6.13 No parking of vehicles exposed for sale and other circumstances

- (1) A person must not park a vehicle on a thoroughfare—
- (a) for the purpose of exposing it for sale;
 - (b) if that vehicle is not licensed under the *Road Traffic Act 1974*;
 - (c) if that vehicle is a trailer or 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.
- (2) Subclause (1)(c) does not apply—
- (a) where the trailer or caravan is parked within the property abutting the verge and protrudes on to the verge in such a way that the part of the trailer or caravan located on the verge—
 - (i) protrudes no further than 2.5 metres beyond the property line;
 - (ii) no part of the trailer or caravan encroaches on to a path; and
 - (iii) no part of the trailer or caravan is closer to the kerb than 3 metres; or
 - (b) if the trailer or caravan is parked on the verge for the sole purpose of unloading or loading of the caravan or trailer, but, in any event for no longer than 72 hours.
- (3) In subclause (2), measurements are taken to apply from the outer edge of the contents of a trailer or of accessories attached to the trailer or caravan where those contents or accessories protrude beyond the dimensions of the trailer or caravan itself.

6.14 Traffic obstructions

- (1) Subject to any law relating to intersections with traffic control signals, a person must not stop, park or permit a vehicle to remain parked so that any portion of the vehicle is—
 - (a) in front of a right of way, crossover, passage or driveway, or so close to one as to deny vehicles reasonable access to, or egress from, the right of way, crossover, passage or driveway;
 - (b) upon an intersection, except adjacent to a carriageway boundary that is not broken by an intersecting carriageway;
 - (c) within 20 metres of the nearest kerb line of any thoroughfare intersecting the thoroughfare on the side on which the vehicle is stopped or parked where the intersection has traffic control signals installed;
 - (d) within 10 metres of the nearest kerb line of any thoroughfare intersecting the thoroughfare on the side on which the vehicle is stopped or parked, where the intersection does not have traffic-control signals installed;
 - (e) alongside any excavation, works, hoarding, scaffolding, obstacle or impediment to traffic, if the vehicle would obstruct traffic;
 - (f) on or over a footpath, or a place of refuge for pedestrians;
 - (g) in front of a crossing used by pedestrians to gain access to or from a path; or
 - (h) at the side of a carriageway marked with a continuous yellow edge line.
- (2) Subclause (1) does not apply where—
 - (a) stopping in that place is necessary due to stopped traffic or in the interests of safety, provided the vehicle is moved as soon as it is safe to do so; or
 - (b) the vehicle is stopped or parked in a parking space or metered bay.

PART 7—ELECTRIC VEHICLE CHARGING STATIONS

7.1 Interpretation

In this Part—

battery electric vehicle means a plug-in electric vehicle that runs on an electric drive train powered exclusively by a battery;

electric vehicle charging station means a publicly available parking space served by electric vehicle supply equipment designed specifically to charge batteries within plug-in electric vehicles by permitting the transfer of electrical energy from an external source to a battery within the electric vehicle;

electric vehicle supply equipment means equipment installed at a premises specifically for the purpose of transferring electrical energy between the premises and a plug-in electric vehicle;

plug-in electric vehicle means a vehicle registered for use on public roads that is propelled by 1 or more motors driven by electrical energy stored in 1 or more batteries installed in the vehicle, and that is primarily recharged by connection to an external stationary electricity supply, and includes battery electric vehicles and plug-in hybrid electric vehicles; or

plug-in hybrid electric vehicle means a plug-in electric vehicle that runs on an electric drive train powered by both a battery and an internal combustion engine.

7.2 Determination of electric vehicle charging stations

- (1) The local government may, by resolution, designate as an electric vehicle charging station a parking space or metered bay that is owned by or under the control of the local government and at which is installed electric vehicle supply equipment.
- (2) Where the local government makes a determination under subsection (1) it must erect signs to give effect to that determination.

7.3 Electric vehicle charging stations for exclusive use of plug-in electric vehicles while charging

- (1) A person must not park a vehicle in a designated electric vehicle charging station at any time unless that vehicle—
 - (a) is a plug-in electric vehicle registered for use on public roads; and
 - (b) is physically connected to the electric vehicle supply equipment for the purposes of charging the vehicle.

7.4 Other conditions of using an electric vehicle charging station

- (1) Use of an electric vehicle charging station located within a parking station is, in addition to the provisions of clause 7.3, subject to the provisions of Part 2 of this local law, including payment of an appropriate fee, unless otherwise signed.
- (2) Use of an electric vehicle charging station that is in a metered zone is, in addition to the provisions of clause 7.3, subject to the provisions of Part 3, including payment of an appropriate fee, unless otherwise signed.
- (3) Unless otherwise signed, a person may not park in a designated electric vehicle parking station for longer than 2 continuous hours.

PART 8—MISCELLANEOUS**8.1 Impersonation of authorised person**

A person who is not an authorised person must not impersonate or purport to exercise the functions of an authorised person.

8.2 Authorised person may order vehicle to be moved

A driver of a vehicle stopped or parked in a parking station, metered zone, thoroughfare or reserve must immediately move the vehicle if any authorised person or police officer directs the driver to move it.

8.3 Authorised person may mark tyres

- (1) An authorised person may mark the tyres of a vehicle with chalk or any other non- indelible substance for any purpose connected with or arising out of their duties and powers.
- (2) A person must not remove a mark made by an authorised person so the purpose of the affixing of such mark is defeated or likely to be defeated.

8.4 Interference and damage to parking facilities and associated infrastructure

A person must not interfere with, alter, affix any thing to, damage, deface, remove, misuse or obstruct the operation of any parking facilities or any local government property used in, or in connection with, a parking facility, or attempt to do any such act.

8.5 Unauthorised signs

A person must not, without the permission of the local government, place, mark or erect a sign purporting to be or resembling a sign placed, marked or erected by the local government under this local law.

8.6 No contravention of sign

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.

8.7 General provisions about signs

- (1) For the purposes of this local law a sign may prohibit or regulate parking or stopping by the use of any symbol.
- (2) A sign is presumed, in the absence of evidence to the contrary, to be a sign placed, marked or erected under the authority of this local law.
- (3) Where an inscription or symbol on a sign 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 also related to the parking of vehicles.
- (4) The first three letters of any day of the week when used on a sign indicate that day of the week.

8.8 Removal of notice from vehicle

- (1) A person, other than the driver of the vehicle or a person acting under the direction of the driver of the vehicle, must not remove from the vehicle any notice put on the vehicle by an authorised person.
- (2) In this clause 'notice' means a notice referred to in section 9.13 of the Act or an infringement notice referred to in section 9.17 of the Act.

8.9 Impounding of vehicles

The impounding of vehicles and other goods is dealt with in sections 3.37 to 3.48 of the Act and regulation 29 of the *Local Government (Functions and General) Regulations 1996*.

8.10 Person not to provide false information when using ticket machine or parking app

A person must not falsely represent the identity of a vehicle when submitting registration details via a parking app or when using a ticket issuing machine that requires the submission of that information.

8.11 Exemptions

- (1) A provision of Parts 2, 3, 5 and 6 of this local law does not apply to the driver of an emergency vehicle or a special purpose vehicle if, in the circumstances—
 - (a) the driver is taking reasonable care; and
 - (b) it is reasonable that the provision should not apply.
- (2) A provision of Parts 2, 3, 5 and 6 of this local law does not apply to a driver who is an authorised person appointed for the purposes of this or another written law applicable to the district who is driving a vehicle in the course of his or her duties if, in the circumstances—
 - (a) the driver is taking reasonable care; and
 - (b) it is reasonable that the provision should not apply.
- (3) A provision of Parts 2, 3, 5 and 6 of this local law does not apply to a person who is at the site of, and engaged in, roadworks or maintenance of the thoroughfare if, in the circumstances—
 - (a) it is not practical for the person to comply with the provision; and
 - (b) sufficient warning of the roadworks has been given to other road users.

PART 9—ENFORCEMENT**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 general penalty

- (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) Any person who commits an offence under this local law 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.
- (3) The process for prosecutions is dealt with by Part 9, Division 2 of the Act.

9.3 Modified penalties

- (1) In accordance with section 9.16 of the Act, an authorised person who has reason to believe that a person has committed an offence against this local law may, within 28 days after the alleged offence is believed to have been committed, give a parking infringement notice to the alleged offender.
- (2) A person who does not contest an allegation that he or she has committed an offence against this local law may, within the time specified in an infringement notice or within such further time as may, in any particular case, be allowed by the CEO, pay the modified penalty for that offence which, in accordance with section 9.21 of the Act, has the effect of preventing the local government from commencing a prosecution for the alleged offence.
- (3) The amount appearing in the final column on Schedule 2 directly opposite a clause specified in that Schedule is the modified penalty for an offence against that clause.
- (4) An offence against any provision of this local law is a prescribed offence for the purposes of section 9.16(1) of the Act.

9.4 Forms of notices

- (1) 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 infringement notice referred to in section 9.16 of the Act is that of Form 2 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*;
 - (c) the form of the infringement notice referred to in section 9.16 of the Act which incorporates the notice referred to in section 9.13 of the Act, is that shown in Schedule 3; and
 - (d) the form of the notice referred to in section 9.20 of the Act is that of Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

9.5 Objection and appeal rights

- (1) Division 1 of Part 9 of the Act applies to—
 - (a) a decision in relation to an application received—
 - (i) under clause 4.3 for a parking permit;
 - (ii) under clause 5.3(2) for a construction site work zone; and
 - (iii) under clause 5.4(1) for event parking approval;
 - (b) a decision—
 - (i) under clause 4.8 to revoke a parking permit;
 - (ii) under clause 4.9 to replace a parking permit; and
 - (iii) under clause 5.3(9) to revoke approval for a construction site work zone.

SCHEDULE 1—MODIFIED PENALTIES

Item	Clause (9.3)	Nature of Offence	Modified Penalty \$
1.	1.10	Unauthorised use of alternative method of payment.	\$90
2.	2.3(1)(a)	Failure to pay appropriate fee when demanded.	\$90
3.	2.3(1)(b)	Failure to obtain a valid parking session in a parking station by any form of permitted payment, including through a parking app.	\$90
4.	2.3(1)(c)	Failure to obtain an entrance ticket from a pay station or pay the appropriate fee prior to departure from a parking station.	\$90
5.	2.3(1)(d)	Failure to commence or keep active a parking session on a parking app in a parking station.	\$90
6.	2.3(3)(a)	Obtaining multiple parking tickets or commencing multiple parking sessions to extend initial fee free period.	\$100
7.	2.3(3)(b)	Moving a vehicle within a parking station to extend initial fee free period.	\$100
8.	2.3(3)(b)	Exiting and returning to a parking station to extend initial fee free period.	\$100
9.	2.5(1)	Parking in a parking station for more than the maximum period.	\$90
10.	2.5(2)	Returning to a parking station within 1 hour.	\$90
11.	2.6(1)(a)	Stopping or parking in a no stopping or no parking area in a parking station.	\$110
12.	2.6(1)(b)	Stopping or parking in a parking station during a prohibited period.	\$90
13.	2.6(1)(c)(i)	Parking in a parking space set aside for a different class of vehicle in a parking station.	\$90
14.	2.6(1)(c)(ii)	Parking in a parking space set aside for a different class of person in a parking station.	\$90
15.	2.6(2)(a)	Obstructing an entrance, exit or access way in a parking station.	\$110
16.	2.6(2)(b)	Stopping or parking across a footpath or place of refuge for pedestrians in a parking station.	\$110
17.	2.6(2)(c)	Parking outside a parking space in a parking station.	\$100
18.	2.7(1)(a)	Failing to display unexpired parking ticket in a parking station or valid parking session by any form of permitted payment, including through a parking app.	\$90
19.	2.8(a)	Driving in the wrong direction in a parking station.	\$100
20.	2.8(b)	Stopping or parking in a parking space which is already occupied by another vehicle.	\$100
21.	2.8(c)	Engaging in unauthorised activities in a parking station.	\$90
22.	3.3(1)(a)	Failure to pay appropriate fee to a parking meter, beyond a period of free parking.	\$90
23.	3.3(1)(b)	Failure to obtain parking ticket from ticket issuing machine in metered zone or valid parking session by any form of permitted payment, including through a parking app.	\$90
24.	3.3(1)(c)	Failure to commence or keep active a parking session on a parking app in a metered zone.	\$90
25.	3.3(3)(a)	Obtaining multiple parking tickets or commencing multiple parking sessions in a metered zone to extend initial fee free period.	\$100
26.	3.3(3)(b)	Moving a vehicle within a metered zone to extend initial fee free period.	\$100
27.	3.3(3)(b)	Exiting and returning to a metered zone to extend initial fee free period.	\$100
28.	3.5(1)	Parking in a metered zone for more than the maximum period.	\$90
29.	3.5(2)	Returning to a metered zone within 1 hour.	\$90
30.	3.6(1)(a)	Stopping or parking in a no parking or no stopping area in a metered zone.	\$110
31.	3.6(1)(b)	Stopping or parking in a metered zone during a prohibited period.	\$90

Item	Clause (9.3)	Nature of Offence	Modified Penalty \$
32.	3.6(1)(c)(i)	Parking in a metered space set aside for a different class of vehicle in a metered zone.	\$90
33.	3.6(1)(c)(ii)	Parking in a metered space set aside for a different class of person in a metered zone.	\$90
34.	3.6(2)	Stopping or parking in a metered space which is already occupied by another vehicle.	\$100
35.	3.6(3)(a)	Failure to park parallel and as close to the kerb as practicable in a metered space in a metered zone.	\$90
36.	3.6(3)(b)	Parking outside a metered space in a metered zone.	\$100
37.	3.6(5)	Failure to pay appropriate fee for each metered space occupied.	\$90
38.	3.7(1)(a)	Failing to display unexpired parking ticket in a metered zone.	\$90
39.	4.4(1)(a)	Failure to comply with conditions of approval for a parking permit.	\$90
40.	4.6(2)(a)	Continuing to use or display an invalid parking permit.	\$90
41.	4.6(2)(b)	Failure to notify local government in writing that person is no longer eligible for a permit.	\$90
42.	5.2(2)	Failure to display a valid permit in an area designated for 'Authorised Vehicles Only'.	\$90
43.	5.3(3)(a)	Failure to comply with conditions of approval for a work zone.	\$90
44.	5.3(11)	Unauthorised stopping or parking in a work zone.	\$90
45.	5.4(3)(a)	Failure to comply with conditions of approval for event parking approval.	\$90
46.	5.5(2)	Stopping or parking in an area subject to temporary parking restrictions.	\$90
47.	5.7(2)-(3)	Stopping or parking on private land without consent or contrary to consent.	\$110
48.	5.8(1)	Stopping or parking on a reserve.	\$110
49.	5.9(1)(a)	Stopping or parking a heavy or bulky vehicle on a thoroughfare for more than 4 hours.	\$100
50.	5.9(1)(b)	Stopping or parking a heavy or bulky vehicle on a thoroughfare for the purposes of repairing, servicing or cleaning that vehicle.	\$100
51.	5.10(1)	Stopping or parking an overlength vehicle on a carriageway for more than 1 hour during any 4-hour period.	\$100
52.	5.11(1)	Stopping or parking a vehicle, other than an on-demand vehicle, in a taxi zone.	\$90
53.	5.11(2)	Stopping or parking a vehicle, other than a public bus or permitted bus, in bus zone.	\$90
54.	5.12(1)	Stopping or parking a vehicle, other than a public bus or an on-demand vehicle, in a bus lane, transit lane or bicycle lane.	\$90
55.	5.13(1)	Unauthorised stopping or parking in a shared zone.	\$90
56.	5.14(1)	Unauthorised stopping or parking in a loading zone.	\$90
57.	5.15	Stopping or parking contrary to a sign in a parking zone.	\$90
58.	5.16(1)	Stopping or parking a vehicle so as to obstruct a public place.	\$110
59.	6.1(1)(a)	Stopping or parking in a no stopping or no parking area on a thoroughfare.	\$110
60.	6.1(1)(b)	Stopping or parking on a thoroughfare during a prohibited period.	\$90
61.	6.1(1)(c)(i)	Parking on a thoroughfare set aside for a different class of vehicle.	\$90
62.	6.1(1)(c)(ii)	Parking on a thoroughfare set aside for a different class of person.	\$90
63.	6.1(d)	Stopping or parking contrary to a continuous yellow edge line.	\$110
64.	6.1(e)	Parking outside a parking space on a thoroughfare.	\$100
65.	6.1(2)	Stopping or parking in a parking space on a thoroughfare which is already occupied by another vehicle.	\$100
66.	6.2(1)	Parking on a thoroughfare for more than the maximum period.	\$90

Item	Clause (9.3)	Nature of Offence	Modified Penalty \$
67.	6.3(1)	Parking a vehicle, other than a motorcycle without a sidecar or trailer, in a motorcycle stall.	\$90
68.	6.4(1)(a)	Failure to park parallel and as close to the kerb as practicable on a thoroughfare marked with parking spaces.	\$90
69.	6.4(1)(b)	Parking facing oncoming traffic on a thoroughfare marked with parking spaces.	\$90
70.	6.5(1)(a)	Failure to park parallel and as close to the left boundary as practicable on a two-way carriageway not marked with parking spaces.	\$90
71.	6.5(1)(a)	Parking facing oncoming traffic on a two-way carriageway not marked with parking spaces.	\$90
72.	6.5(1)(b)	Failure to park parallel and as close to the left boundary as practicable on a one-way carriageway not marked with parking spaces.	\$90
73.	6.5(1)(b)	Parking facing oncoming traffic on a one-way carriageway not marked with parking spaces.	\$90
74.	6.5(1)(c)	Failure to leave at least 3 metres between the vehicle and the farther boundary of carriageway or a continuous dividing line, dividing strip, median strip or other vehicle.	\$90
75.	6.5(d)	Stopping or parking within one metre of another vehicle.	\$90
76.	6.5(e)	Stopping or parking in a way that obstructs another vehicle on the carriageway.	\$110
77.	6.5(f)	Stopping or parking on or across a median strip or painted island.	\$110
78.	6.6(1)	Failure to park at 45 degrees where angled parking applies.	\$100
79.	6.7(1)	Stopping or parking within 1 metre of a fire hydrant or fire plug.	\$110
80.	6.7(2)	Stopping or parking within 3 metres of a public post box or mail zone.	\$90
81.	6.8(1)	Stopping or parking on a verge contrary to a sign.	\$110
82.	6.8(2)	Stopping or parking on a verge without consent.	\$110
83.	6.9(1)	Double parking on a carriageway.	\$110
84.	6.10(1)	Stopping or parking within 20 metres of the approach side, or within 10 metres of the departure side, of a bus stop.	\$100
85.	6.10(2)	Unauthorised stopping or parking in a bus stop.	\$100
86.	6.10(3)	Stopping or parking within 20 metres of the approach side, or within 10 metres of the departure side, of a pedestrian or children's crossing.	\$100
87.	6.11	Stopping or parking contrary to keep clear marking.	\$110
88.	6.12	Returning to a thoroughfare within 1 hour.	\$90
89.	6.13(1)(a)	Exposing a vehicle for sale on a thoroughfare.	\$90
90.	6.13(1)(b)	Parking an unlicensed vehicle on a thoroughfare.	\$90
91.	6.13(1)(c)	Parking an unattached trailer or caravan on a thoroughfare.	\$90
92.	6.13(1)(d)	Stopping or parking on a thoroughfare for the purposes of repairing the vehicle.	\$90
93.	6.14(1)(a)	Stopping or parking in front of, or denying reasonable access to, or egress from, a right of way, crossover, passage or driveway.	\$110
94.	6.14(b)	Stopping or parking on an intersection.	\$110
95.	6.14(c)	Stopping or parking within 20 metres of an intersection with traffic control signals.	\$100
96.	6.14(d)	Stopping or parking within 10 metres of an intersection not controlled by traffic control signals.	\$100
97.	6.14(e)	Stopping or parking alongside a traffic obstruction.	\$100
98.	6.14(f)	Stopping or parking across a footpath or place of refuge for pedestrians.	\$110
99.	6.14(g)	Stopping or parking at the side of a carriageway marked with a continuous yellow edge line.	\$110

Item	Clause (9.3)	Nature of Offence	Modified Penalty \$
100.	6.14(h)	Stopping or parking in front of a crossing used by pedestrians to gain access to or from a path.	\$110
101.	7.3(1)(a)	Stopping or parking a vehicle, other than a registered plug-in electric vehicle, in an electric vehicle charging station.	\$90
102.	7.3(1)(b)	Stopping or parking a plug-in electric vehicle in an electric vehicle charging station when the vehicle is not in the process of charging.	\$90
103.	7.4(3)	Parking for longer than 2 continuous hours in an electric vehicle parking station.	\$90
104.	8.1	Impersonating an authorised officer.	\$250
105.	8.2	Failure to remove vehicle when directed by authorised person to move it.	\$250
106.	8.3	Removing mark of authorised person.	\$250
107.	8.4	Affixing things to, altering, defacing or misusing parking facilities or associated infrastructure.	\$250
108.	8.4	Obstructing the operation of, interfering, damaging or removing parking facilities or associated infrastructure.	\$500
109.	8.5	Placing, marking or erecting unauthorised signs.	\$250
110.	8.6	Contravening a direction on a sign.	\$90
111.	8.8	Unlawfully removing a notice placed on a vehicle.	\$100
112.	8.10	Providing false information or details when using a ticket issuing machine or parking app.	\$100
113.		All other offences not specified.	\$90

SCHEDULE 2—INFRINGEMENT NOTICE FORMS

FORM 1

CITY OF MELVILLE PARKING LOCAL LAW 2023 INFRINGEMENT NOTICE

Serial No. _____

Date :/...../.....

To: (1)

of (2)

It is alleged that on/...../..... at (3)

at (4)

in respect your vehicle—

make:

model:

registration:

was involved in the following offence—

(5)

.....

.....

contrary to clause.....of the City of Melville Parking Local Law 2023.

The modified penalty for the offence is: \$

If you do not wish to have a complaint of the alleged offence heard and determined by a court, you may pay the amount of the modified penalty within 28 days after the giving of this notice to you.

Unless within 28 days after the giving of this notice to you—

(a) the modified penalty is paid; or

(b) you—

(i) inform the Chief Executive Officer or an authorised person of the City of Melville as to the identity and address of the person who was the driver or person in charge of the above vehicle at the time the offence is alleged to have been committed; or

- (ii) satisfy the Chief Executive Officer of the City of Melville that the above vehicle had been stolen or was being unlawfully used at the time the offence is alleged to have been committed,

you will be deemed to have committed the above offence and court proceedings may be instituted against you.

Payment may be made either by posting this form together with the amount of the modified penalty to the Chief Executive Officer at the City of Melville or by delivering this form and paying the amount to an authorised person at the office of the City of Melville at Almondbury Road, Booragoon, WA, 6163.

If you take no action this matter may be registered with the Fines Enforcement Registry after which your driver's licence may be suspended, your vehicle licence may be suspended or cancelled; your details may be published on a website; your vehicle may be immobilised or have its number plates removed, and your property may be seized and sold. If the matter is registered with the registered with the Registry additional costs will also be payable.

.....
Name of authorised person giving the notice.

.....
Title of authorised person

.....
Signature of authorised person

Insert—

(1) Name of alleged offender [or "owner of (vehicle identification)" if given with a notice under section 9.13 of the Act].

(2) Address of alleged offender [not required if given with a notice under section 9.13 of the Act].

(3) Time at which offence allegedly committed.

(4) Place at which offence allegedly committed.

(5) Description of offence.

Dated 13 December 2023.

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

KATY MAIR, Mayor.
GAIL BOWMAN, Chief Executive Officer.
