

**10.3 ADOPTION OF THE PARKING AMENDMENT LOCAL LAW 2024**

- Attachments:**
1. Parking Amendment Local Law 2024 clean copy
  2. Parking Amendment Local Law 2024 with changes
  3. Parking Amendment Local Law 2024 - DLGSC comments
  4. Parking Amendment Local Law 2024 - Public submissions

**RECOMMENDATION:****That Council:**

1. **GIVES NOTICE** that the purpose of the Parking Amendment Local Law 2024 is to amend certain provisions of the City of Vincent Parking Local Law 2023; and
2. **GIVES NOTICE** that the effect of the Parking Amendment Local Law 2024 is to provide further clarity of the requirements that any person parking a vehicle within the City of Vincent is to comply with these provisions; and
3. **MAKES BY ABSOLUTE MAJORITY** the Parking Amendment Local Law 2024 at Attachment 1, in accordance with section 3.12(4) of the *Local Government Act 1995* subject to the Chief Executive Officer;
  - 3.1 publishing the Parking Amendment Local Law 2024 in the Government Gazette in accordance with s3.12(5) of the *Local Government Act 1995* and providing a copy to the Minister for Local Government; and
  - 3.2 following Gazettal, providing local public notice in accordance with s3.12(6) of the *Local Government Act 1995*, and providing a copy of the law and Explanatory Memorandum signed by the Mayor and Chief Executive Officer to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

**PURPOSE OF REPORT:**

To consider adopting the *Parking Amendment Local Law 2024* to bring the Parking Local Law 2023 in compliance with the undertakings of the Joint Standing Committee on Delegated Legislation.

**BACKGROUND:**

After the adoption of the City of Vincent Parking Local Law 2023, it was found that a clause in relation to Event Parking, public availability of Australian Standards and minor typographical issues needed to be addressed. At its 21 November 2023 Meeting, Council resolved to provide public notice of the proposed *City of Vincent Parking Amendment Local Law 2024* (Item 17.1). In accordance with Section 3.12(3)(b) of the *Local Government Act 1995*, a copy of the proposed *City of Vincent Parking Amendment Local Law 2024* was provided to the Department of Local Government, Sports and Cultural Industries (DLGSC) for review and comment.

The submission period for the public notice was between 30 November 2023 and 30 January 2024.

Minor changes have been made to the draft *Parking Amendment Local Law 2024* following consideration of public submissions and advice from the DLGSC.

**DETAILS:**

Local public notice of the proposed *Parking Amendment Local Law 2024* was given in accordance with section 3.12(3)(a) of the *Local Government Act 1995*. Public notice and consultation on the proposed *Parking Amendment Local Law 2024* included the following:

- a notice published in the West Australian on 30 November 2023;
- a notice published in the Perth Now Central newspaper on 30 November 2023;
- a consultation page displayed on the City's website (Imagine Vincent);
- inclusion of a News item on the City's website;
- promotion on the City of Vincent's Facebook page; and
- inclusion on notice boards at the City of Vincent's Administration building and Library.

A copy of the proposed *Parking Amendment Local Law 2024* recommended for adoption is at **Attachment 1**. This attachment includes modifications to the *Parking Amendment Local Law 2024* as it was advertised. A copy of the advertised *Parking Amendment Local Law 2024* with the proposed minor changes is at **Attachment 2**. This includes modifications that were made following review of comments obtained from the public and DLGSC. After including these amendments, the *Parking Amendment Local Law 2024* is not significantly different to what was advertised, therefore it does not trigger the requirement to recommence the making of the local law under sections 3.13 of the *Local Government Act 1995*.

In accordance with section 3.12(3)(b) of the *Local Government Act 1995*, Administration provided the Minister for Local Government with a copy of the advertised *Parking Amendment Local Law*. The DLGSC provided minor editing suggestions for the *Parking Amendment Local Law*, and this can be found at **Attachment 3**. Administration have incorporated the Department's feedback, which was to make minor typographical and formatting changes.

During the public consultation period, the City received 9 submissions, with 3 in support of the amendment local law, 3 who did not support the amendment local law and 3 who neither supported or did not support the amendment local law. A copy of the submissions can be found at **Attachment 4**. The submissions received that did not support the amendment local law, largely didn't provide comment with any reasoning other than one seeking clarity on bus embayment vs bus stop at clause 2.6(1)(g)(i).

If adopted, the *Parking Amendment Local Law 2024* would be gazetted and provided to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL). While the amendment local law has been prepared with advice from the DLGSC, the JSCDL may still exercise its discretion to disallow part or all of the *Parking Amendment Local Law 2024*.

**CONSULTATION/ADVERTISING:**

Following Gazettal, the City would provide local public notice that the *Parking Amendment Local Law 2024* has been published in the Government Gazette, in accordance with s3.12(6) of the *Local Government Act 1995*. The notice would include the following details:

- the title of the amendment local law;
- the purpose and effect of the amendment local law;
- the day the amendment local law comes into operation; and
- advise that copies of the amendment local law can be inspected and obtained from the City's office and website.

**LEGAL/POLICY:**

Section 3.12 of the *Local Government Act 1995* sets out the procedural requirements for the making of a local law:

- (1) *In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*
- (2a) *Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.*
- (2) *At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*

- (3) *The local government is to —*
- (a) *give local public notice stating that —*
    - (i) *the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and*
    - (ii) *a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
    - (iii) *submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;*

*And*
  - (b) *as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the minister and, if another minister administers the act under which the local law is proposed to be made, to that other minister; and*
  - (c) *provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*
- (4) *After the last day for submissions, the local government is to consider any submissions made and may make the local law\* as proposed or make a local law\* that is not significantly different from what was proposed.*  
*\* absolute majority required.*
- (5) *After making the local law, the local government is to publish it in the gazette and give a copy of it to the minister and, if another minister administers the act under which the local law is proposed to be made, to that other minister.*
- (6) *After the local law has been published in the gazette the local government is to give local public notice —*
- (a) *stating the title of the local law; and*
  - (b) *summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and*
  - (c) *advising that the local law is published on the local government’s official website and that copies of the local law may be inspected at or obtained from the local government’s office.*
- (7) *The minister may give directions to local governments requiring them to provide to the parliament copies of local laws they have made and any explanatory or other material relating to them.*
- (8) *In this section — making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.*

### **RISK MANAGEMENT IMPLICATIONS**

Low: It is low risk for Council to adopt the *Parking Amendment Local Law 2024*.

### **STRATEGIC IMPLICATIONS:**

This is in keeping with the City’s *Strategic Community Plan 2022-2032*:

#### Accessible City

*We have embraced emerging transport technologies.*

#### Thriving Places

*Efficiently managed and maintained City assets in the public realm.*

#### Innovative and Accountable

*We engage with our community so they are involved in what we are doing and how we are meeting our goals.*

### **SUSTAINABILITY IMPLICATIONS:**

This does not contribute to any specific sustainability outcomes of the *City’s Sustainable Environment Strategy 2019-2024*.

**PUBLIC HEALTH IMPLICATIONS:**

This does not contribute to any public health outcomes in the *City's Public Health Plan 2020-2025*.

**FINANCIAL/BUDGET IMPLICATIONS:**

There are nominal costs associated with making the amendment local law, including advertising and Gazettal which can be expended from the City's operating budget.

**City of Vincent**

**Local Government Act 1995**

**Parking Amendment Local Law 2024**

Parking Amendment Local Law 2024

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## LOCAL GOVERNMENT ACT 1995

## CITY OF VINCENT

## LOCAL GOVERNMENT PARKING AMENDMENT LOCAL LAW 2024

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Vincent resolved on XX XXX 2024 to make the following amendment local law.

**1. Citation**

This local law may be cited as the *City of Vincent Parking Amendment Local Law 2024*.

**2. Commencement**

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

**3. Principal Local Law amended**

This local law amends the *City of Vincent Parking Local Law 2023* as published in the *Government Gazette* on 11 September 2023.

**4. Clause 1.6 amended**

(1) In clause 1.6, delete the definition of 'parking region' and insert—

**'parking region'** means the area to which this local law applies, as described in clause 1.5.

(2) In clause 1.6, delete the definition of 'symbol' and insert—

**'symbol'** includes any symbol specified by the *Road Traffic Code 2000*.

**5. Clause 2.6 amended**

In clause 2.6, delete clause 2.6(1) and insert—

(1) A person must not stop or park a vehicle in a school zone during a school zone period—

- (a) in a no stopping area;
- (b) at the side of a carriageway marked with a continuous yellow edged line;
- (c) on a verge;
- (d) on a footpath or pedestrian refuge;
- (e) in a parking bay in which another vehicle is stopped or parked;
- (f) on or across a driveway as outlined in clause 3.6; or
- (g) so that any portion of the vehicle is within 10 metres of the departure side, or within 20 metres of the approach side, of—
  - (i) a bus embayment, or a bus zone unless the vehicle is a bus stopped to take up or set down passengers;
  - (ii) a pedestrian crossing; or
  - (iii) a children's crossing.

**6. Clause 2.16 amended**

Delete clause 2.16 and insert—

(1) In this clause, **special event** means a function or activity characterised by all or any of the following—

- (a) formal organisation and preparation;
- (b) its occurrence is generally advertised or notified in writing to particular persons;
- (c) organisation by or on behalf of a club or a body corporate;
- (d) payment of a fee to attend; or
- (e) systematic recurrence in relation to the day, time and place.

(2) The local government may—

- (a) by giving local public notice and the use of a sign—
  - (i) set aside, for a period not exceeding 4 weeks, parking facilities for the parking of vehicles by those attending a special event; or
  - (ii) establish additional parking facilities on a reserve or local government property, for a period not exceeding 4 weeks, for the parking of vehicles by those attending a special event.
- (b) by resolution of council and by giving a minimum of 4 weeks local public notice, and the use of a sign—
  - (i) set aside parking facilities for a period exceeding 4 weeks for the parking of vehicles by those attending a special event; or
  - (ii) establish additional parking facilities on a reserve or local government property, for a period exceeding 4 weeks, for the parking of vehicles by those attending a special event.

(3) A person must not stop or park a vehicle—

- (a) in a parking station set aside under subclause (2) during the period for which it is set aside; or
  - (b) on a reserve or local government property established as a parking facility under subclause (2) during the period for which it is established,
- unless a permit obtained from the local government with respect to the special event is—

- (c) in the case of a printed permit, displayed inside the vehicle and is clearly visible to, and able to be read by an authorised person from outside the vehicle at all times while the vehicle is stopped or parked in the parking station; or
- (d) in the case of an electronic permit, the person (using the parking app) has obtained notification that the required fee has been paid or that the permit has been issued.

**7. Schedule 1—Modified Penalties amended**

Delete Schedule 1—Modified Penalties and insert—

**Schedule 1**  
**City of Vincent Parking Local Law 2023**  
*Modified Penalties [Clause 7.3]*

Item	Clause	Description	Modified Penalty \$
1.	2.3(1)(a)	Stopping or parking by vehicles 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 during prohibited period	\$120
4.	2.3(1)(d)	Stopping or parking for longer than maximum period	\$90
5.	2.3(1)(e)	Failure to park wholly within parking bay or metered space	\$90
6.	2.3(1)(f)	Failure to comply with signs	\$90
7.	2.3(2)(a)	Stopping or parking in a no stopping area	\$200
8.	2.3(2)(b)	Stopping or parking contrary to a “clearway” sign	\$300
9.	2.3(2)(c)	Stopping or parking at a continuous yellow edged line	\$200
10.	2.3(2)(d)	Stopping or parking in a keep clear area of carriageway	\$200
11.	2.3(2)(e)	Stopping or parking vehicle other than motorcycle in ‘M/C’ bay	\$90
12.	2.3(2)(f)	Stopping or parking in a bus lane or bus way	\$200
13.	2.3(2)(g)	Stopping or parking in a transit lane	\$200
14.	2.3(2)(h)	Stopping or parking in a truck lane	\$200
15.	2.3(2)(i)	Stopping or parking in a bicycle lane or path	\$200
16.	2.3(3)	Parking in a no parking area	\$120
17.	2.3(4)	Stopping a motorcycle unlawfully	\$90
18.	2.3(5)	Parking in an unsigned ‘M/C’ bay or space for longer than the maximum period	\$90
19.	2.3(6)	Parking without authorisation in an area designated for Authorised Vehicles	\$120
20.	2.4(2)	Failure to display parking permit	\$120
21.	2.5(2)	Stopping or parking on land without consent	\$150
22.	2.5(3)	Stopping or parking on land not in accordance with consent	\$150

23.	2.6(1)(a)	Stopping or parking in a no stopping area in a school zone during a school zone period	\$225
24.	2.6(1)(b)	Stopping or parking next to a yellow edged line in a school zone during a school zone period	\$225
25.	2.6(1)(c)	Stopping or parking on a road verge in a school zone during school zone period	\$100
26.	2.6(1)(d)	Stopping or parking on a footpath or pedestrian refuge in a school zone during school zone period	\$225
27.	2.6(1)(e)	Stopping or parking in a bay occupied by another vehicle in a school zone during school zone period	\$85
28.	2.6(1)(f)	Stopping or parking on or across a driveway in a school zone during school zone period	\$225
29.	2.6(1)(g)(i)	Stopping or parking in a bus embayment or bus zone in a school zone during school zone period	\$225
30.	2.6(1)(g)(ii)	Stopping or parking on a pedestrian crossing in a school zone during school zone period	\$225
31.	2.6(1)(g)(iii)	Stopping or parking on a children's crossing in a school zone during school zone period	\$225
32.	2.6(2)	Obstructing a vehicle on carriageway in a school zone during school zone period	\$225
33.	2.7(a)	Failure to park or stop as near as practicable and parallel to boundary of carriageway	\$90
34.	2.7(b)	Failure to stop or park at approximately right angles to the centre of the carriageway	\$90
35.	2.8	Failure to park at an appropriate angle	\$90
36.	2.9	Stopping or parking unlawfully in a loading zone	\$120
37.	2.10	Driving, stopping or parking on a reserve	\$150
38.	2.11	Stopping or parking, or attempting to stop or park in a bay occupied by another vehicle	\$90
39.	2.12(4)	Stopping or parking contrary to permission	\$90
40.	2.13	Stopping or parking a vehicle contrary to direction	\$200
41.	2.14	Selling or hiring goods in a parking facility without authorisation	\$200
42.	2.15	Removing, damaging, defacing, misusing or interfering with parking facility	\$200
43.	2.16(3)	Stopping or parking unlawfully in a designated event area	\$120
44.	2.17	Stopping or parking unauthorised vehicle in an 'authorised vehicle only' area	\$120
45.	2.18	Stopping or parking on City property	\$120
46.	3.1(a) and 3.1(b)	Stopping or parking against the flow of traffic	\$90



47.	3.1(c)	Failure to stop or park vehicle with at least 3 metres of the width between the vehicle and the opposite boundary of the carriageway	\$150
48.	3.1(d)	Failure to stop or park vehicle more than 1 metre from any other vehicle	\$90
49.	3.1(e)	Parking or stopping so as to obstruct any vehicle on the carriageway	\$150
50.	3.2	Parking or stopping on a median strip or traffic island	\$150
51.	3.3(1)	Stopping or parking a vehicle unlawfully on a verge	\$90
52.	3.4(a)	Parking vehicle on any portion of a road or within a parking station for purpose of sale	\$150
53.	3.4(b)	Parking unlicensed vehicle on any portion of a road or within a parking station	\$150
54.	3.4(c)	Parking unattached trailer or caravan on a portion of road or within a parking station	\$150
55.	3.4(d)	Parking vehicle on a portion of road or within a parking station for purpose of repairs	\$150
56.	3.5(3)(a)	Stopping or parking a vehicle on a road so as to cause obstruction	\$200
57.	3.5(3)(b)	Stopping or parking a vehicle so as to obstruct an entrance, exit, carriageway, passage or thoroughfare in a parking facility	\$200
58.	3.5(3)(c)	Stopping or parking a vehicle on an intersection	\$200
59.	3.5(3)(d)	Stopping or parking within 20 metres from an intersecting carriageway with traffic-control signals	\$200
60.	3.5(3)(e)	Stopping or parking within 10 metres of the prolongation of nearest edge of intersecting carriageway	\$90
61.	3.5(3)(f)	Stopping or parking on or over a footpath, pedestrian crossing, children's crossing or place for pedestrians	\$200
62.	3.5(3)(g)	Stopping or parking alongside or opposite construction works where vehicle obstructs traffic	\$200
63.	3.5(3)(h)	Stopping or parking on a bridge or within a tunnel or underpass	\$150
64.	3.5(3)(i)	Stopping or parking between the boundaries of a carriageway and any continuous double line	\$90
65.	3.5(3)(j)	Stopping or parking closer than 3 metres to double longitudinal lines	\$150
66.	3.5(3)(k)	Stopping or parking within head of a cul-de-sac	\$120
67.	3.6	Stopping or parking across a driveway or other way of access	\$200
68.	3.7	Stopping unlawfully on crests/curves etc.	\$150
69.	3.8(a)	Stopping or parking within 1 metre of fire hydrant or fire plug	\$90

70.	3.8(b)	Stopping or parking within 3 metres of public post box	\$90
71.	3.9(1)(a)	Stopping or parking within 10 metres of departure side or within 20 metres of approach side of a bus embayment or bus zone	\$90
72.	3.9(1)(b)	Stopping or parking within 10 metres of departure side or within 20 metres of approach side of a pedestrian crossing	\$90
73.	3.9(1)(c)	Stopping or parking within 10 metres of departure side or within 20 metres of approach side of a children's crossing	\$90
74.	3.9(1)(d)	Stopping or parking within 10 metres of departure side or within 20 metres of approach side of a railway level crossing	\$90
75.	3.9(2)(a)	Stopping or parking a vehicle within 3 metres of the departure side or within 10 metres of the approach side of a pedestrian crossing that is not an intersection	\$200
76.	3.9(2)(b)	Stopping or parking a vehicle within 3 metres of the departure side or within 10 metres of the approach side of a bicycle crossing that is not an intersection	\$200
77.	3.10(1)	Moving a vehicle along carriageway to avoid time limitation	\$120
78.	3.10(2)	Moving a vehicle within parking station to avoid time limitation	\$120
79.	3.10(3)	Obtaining more than one free parking ticket or parking period	\$120
80.	3.11	Stopping or parking unlawfully in a pedestrian mall	\$90
81.	3.12(1)	Stopping or parking a vehicle in a public bus zone	\$150
82.	3.12(2)	Stopping or parking public bus in bus zone when not picking up or setting down passengers	\$150
83.	3.13(1)	Stopping or parking in charter vehicle zone when not a charter vehicle	\$150
84.	3.13(2)(a)	Stopping or parking charter vehicle (12 or more seats) in charter vehicle zone for longer than maximum period	\$150
85.	3.13(2)(b)	Stopping or parking charter vehicle (less than 12 seats) in charter vehicle zone for longer than maximum period	\$150
86.	3.13(3)	Leaving charter vehicle unattended in charter vehicle zone	\$150
87.	3.14(1)	Stopping unlawfully in a taxi zone	\$150
88.	3.14(2)	Leaving taxi unattended while in a taxi zone	\$150
89.	3.15(8)	Stopping or parking a vehicle in a work zone	\$150
90.	3.16	Stopping or parking unlawfully in shared zone	\$90
91.	3.17	Unlawfully stopping or parking heavy or long vehicles on a carriageway	\$120
92.	4.1(1)	Failure to pay fee	\$90
93.	4.2	Inserting anything other than the permitted forms of payment in a fee paying machine	\$90

94.	4.3	Operating a fee paying machine contrary to instructions	\$90
95.	4.4	Stopping or parking in metered space for longer than the maximum period	\$90
96.	4.5(1)(a)	Failure to display valid parking ticket	\$90
97.	4.5(1)(b) and 4.5(1)(c)	Stopping or parking beyond permitted parking period	\$90
98.	4.6	Unlawfully leaving vehicle parked in reserved fee paying zone	\$120
99.	4.7(a)	Stopping or parking in a fee paying zone outside the period which stopping or parking is allowed	\$90
100.	4.7(b)	Stopping or parking in a fee paying zone for longer than the permitted period	\$90
101.	4.8(a)	Displaying a counterfeit, altered, obliterated or interfered with parking ticket	\$200
102.	4.8(b)	Producing to an authorised person a counterfeit, altered, obliterated or interfered with parking ticket	\$200
103.	5.1	Unlawfully entering a parking station	\$120
104.	5.2	Stopping or parking in a parking station without paying the appropriate fee	\$90
105.	5.2(d)	Failure to park wholly within parking bay in a parking station	\$90
106.	5.4(1)	Unlawfully removing stopped or parked vehicle from parking station	\$200
107.	5.4(2)	Failure to pay fee within 3 working days from the time of issue of the notice	\$120
108.	5.5	Stopping or parking in parking station for longer than the maximum period	\$90
109.	5.6	Failure to enter and exit parking facility through authorised entry or exit	\$120
110.	5.8(1)	Failure to leave parking station at the direction of a police officer or authorised person	\$200
111.	5.8(2)	Loitering in a parking station	\$120
112.	5.9	Driving a vehicle past a low clearance sign	\$200
113.	6.4	Impersonating an authorised person	\$200
114.	6.5	Obstructing an authorised person	\$200
115.	6.6	Unlawfully removing notice from vehicle	\$150
116.	6.7(a)	Unauthorised display, marking, setting up, exhibiting of a sign	\$150
117.	6.7(b)	Removing, defacing or misusing a sign or the property of the City	\$90
118.	6.7(c)	Affixing anything to a sign or fee paying machine	\$90

119.	6.8(2)	Removing or interfering with a lawful mark on a tyre	\$200
120.	6.11	Interfering with, damaging or obstructing City property	\$500

Dated XX XXX 2024

The Common seal of the City of Vincent was affixed by authority of a resolution of the Council in the presence of-  
ALISON XAMON, Mayor

DAVID MACLENNAN, Chief Executive Officer

**City of Vincent**

**Local Government Act 1995**

**Parking Amendment Local Law 2024**

Parking Amendment Local Law 2024

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## LOCAL GOVERNMENT ACT 1995

## CITY OF VINCENT

## LOCAL GOVERNMENT PARKING AMENDMENT LOCAL LAW 2024

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Vincent resolved on XX XXX 2024 to make the following amendment local law.

**1. Citation**

This local law may be cited as the *City of Vincent Parking Amendment Local Law 2024*.

**2. Commencement**

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

**3. Principal Local Law amended**

This local law amends the *City of Vincent Parking Local Law 2023* as published in the *Government Gazette* on 11 September 2023.

**4. Clause 1.6 amended**

(1) In clause 1.6, delete the definition of 'parking region' and insert—

**"parking region"** means the area to which this local law applies, as described in clause 1.5.

(2) In clause 1.6, delete the definition of 'symbol' and insert—

**'symbol'** includes any symbol specified by the *Road Traffic Code 2000*.

**5. Clause 2.6 amended**

In clause 2.6, delete clause 2.6(1) and insert—

(1) A person must not stop or park a vehicle in a school zone during a school zone period—

- (a) in a no stopping area;
- (b) at the side of a carriageway marked with a continuous yellow edged line;
- (c) on a verge;
- (d) on a footpath or pedestrian refuge;
- (e) in a parking bay in which another vehicle is stopped or parked;
- (f) on or across a driveway as outlined in clause 3.6; **or**
- (g) so that any portion of the vehicle is within 10 metres of the departure side, or within 20 metres of the approach side, of—
  - (i) a bus embayment, or a bus zone unless the vehicle is a bus stopped to take up or set down passengers;
  - (ii) a pedestrian crossing; **or**
  - (iii) a children's crossing.

**6. Clause 2.16 amended**

Delete clause 2.16 and insert—

(1) In this clause, **special event** means a function or activity characterised by all or any of the following—

- (a) formal organisation and preparation;
- (b) its occurrence is generally advertised or notified in writing to particular persons;
- (c) organisation by or on behalf of a club or a body corporate;
- (d) payment of a fee to attend; **and-or**
- (e) systematic recurrence in relation to the day, time and place.

(2) The local government may—

- (a) by giving local public notice and the use of a sign—
  - (i) set aside, for a period not exceeding 4 weeks, parking facilities for the parking of vehicles by those attending a special event; or
  - (ii) establish additional parking facilities on a reserve or local government property, for a period not exceeding 4 weeks, for the parking of vehicles by those attending a special event.
- (b) by resolution of council and by giving a minimum of 4 weeks local public notice, and the use of a sign—
  - (i) set aside parking facilities for a period exceeding 4 weeks for the parking of vehicles by those attending a special event; or
  - (ii) establish additional parking facilities on a reserve or local government property, for a period exceeding 4 weeks, for the parking of vehicles by those attending a special event."

(3) A person must not stop or park a vehicle—

- (a) in a parking station set aside under subclause (2) during the period for which it is set aside; or;
  - (b) on a reserve or local government property established as a parking facility under subclause (2) during the period for which it is established,
- unless a permit obtained from the local government with respect to the special event is—

- (c) in the case of a printed permit, displayed inside the vehicle and is clearly visible to, and able to be read by an authorised person from outside the vehicle at all times while the vehicle is stopped or parked in the parking station; or
- (d) in the case of an electronic permit, the person (using the parking app) has obtained notification that the required fee has been paid or that the permit has been issued.

**7. Schedule 1—Modified Penalties amended**

Delete Schedule 1—Modified Penalties and insert—

**Schedule 1**  
**City of Vincent Parking Local Law 2023**  
*Modified Penalties [Clause 7.3]*

Item	Clause	Description	Modified Penalty \$
1.	2.3(1)(a)	Stopping or parking by vehicles 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 during prohibited period	\$120
4.	2.3(1)(d)	Stopping or parking for longer than maximum period	\$90
5.	2.3(1)(e)	Failure to park wholly within parking bay or metered space	\$90
6.	2.3(1)(f)	Failure to comply with signs	\$90
7.	2.3(2)(a)	Stopping or parking in a no stopping area	\$200
8.	2.3(2)(b)	Stopping or parking contrary to a “clearway” sign	\$300
9.	2.3(2)(c)	Stopping or parking at a continuous yellow edged line	\$200
10.	2.3(2)(d)	Stopping or parking in a keep clear area of carriageway	\$200
11.	2.3(2)(e)	Stopping or parking vehicle other than motorcycle in ‘M/C’ bay	\$90
12.	2.3(2)(f)	Stopping or parking in a bus lane or bus way	\$200
13.	2.3(2)(g)	Stopping or parking in a transit lane	\$200
14.	2.3(2)(h)	Stopping or parking in a truck lane	\$200
15.	2.3(2)(i)	Stopping or parking in a bicycle lane or path	\$200
16.	2.3(3)	Parking in a no parking area	\$120
17.	2.3(4)	Stopping a motorcycle unlawfully	\$90
18.	2.3(5)	Parking in an unsigned ‘M/C’ bay or space for longer than the maximum period	\$90
19.	2.3(6)	Parking without authorisation in an area designated for Authorised Vehicles	\$120
20.	2.4(2)	Failure to display parking permit	\$120
21.	2.5(2)	Stopping or parking on land without consent	\$150
22.	2.5(3)	Stopping or parking on land not in accordance with consent	\$150

23.	2.6(1)(a)	Stopping or parking in a no stopping area in a school zone during a school zone period	\$225
24.	2.6(1)(b)	Stopping or parking next to a yellow edged line in a school zone during a school zone period	\$225
25.	2.6(1)(c)	Stopping or parking on a road verge in a school zone during school zone period	\$100
26.	2.6(1)(d)	Stopping or parking on a footpath or pedestrian refuge in a school zone during school zone period	\$225
27.	2.6(1)(e)	Stopping or parking in a bay occupied by another vehicle in a school zone during school zone period	\$85
28.	2.6(1)(f)	Stopping or parking on or across a driveway in a school zone during school zone period	\$225
29.	2.6(1)(g)(i)	Stopping or parking in a bus embayment or bus zone in a school zone during school zone period	\$225
30.	2.6(1)(g)(ii)	Stopping or parking on a pedestrian crossing in a school zone during school zone period	\$225
31.	2.6(1)(g)(iii)	Stopping or parking on a children's crossing in a school zone during school zone period	\$225
32.	2.6(2)	Obstructing a vehicle on carriageway in a school zone during school zone period	\$225
33.	2.7(a)	Failure to park or stop as near as practicable and parallel to boundary of carriageway	\$90
34.	2.7(b)	Failure to stop or park at approximately right angles to the centre of the carriageway	\$90
35.	2.8	Failure to park at an appropriate angle	\$90
36.	2.9	Stopping or parking unlawfully in a loading zone	\$120
37.	2.10	Driving, stopping or parking on a reserve	\$150
38.	2.11	Stopping or parking, or attempting to stop or park in a bay occupied by another vehicle	\$90
39.	2.12(4)	Stopping or parking contrary to permission	\$90
40.	2.13	Stopping or parking a vehicle contrary to direction	\$200
41.	2.14	Selling or hiring goods in a parking facility without authorisation	\$200
42.	2.15	Removing, damaging, defacing, misusing or interfering with parking facility	\$200
43.	2.16(3)	Stopping or parking unlawfully in a designated event area	\$120
44.	<del>2.18</del> -2.17	Stopping or parking unauthorised vehicle in an 'authorised vehicle only' area	\$120
45.	<del>2.19</del> -2.18	Stopping or parking on City property	\$120
46.	3.1(a) and 3.1(b)	Stopping or parking against the flow of traffic	\$90



47.	3.1(c)	Failure to stop or park vehicle with at least 3 metres of the width between the vehicle and the opposite boundary of the carriageway	\$150
48.	3.1(d)	Failure to stop or park vehicle more than 1 metre from any other vehicle	\$90
49.	3.1(e)	Parking or stopping so as to obstruct any vehicle on the carriageway	\$150
50.	3.2	Parking or stopping on a median strip or traffic island	\$150
51.	3.3(1)	Stopping or parking a vehicle unlawfully on a verge	\$90
52.	3.4(a)	Parking vehicle on any portion of a road or within a parking station for purpose of sale	\$150
53.	3.4(b)	Parking unlicensed vehicle on any portion of a road or within a parking station	\$150
54.	3.4(c)	Parking unattached trailer or caravan on a portion of road or within a parking station	\$150
55.	3.4(d)	Parking vehicle on a portion of road or within a parking station for purpose of repairs	\$150
56.	3.5(3)(a)	Stopping or parking a vehicle on a road so as to cause obstruction	\$200
57.	3.5(3)(b)	Stopping or parking a vehicle so as to obstruct an entrance, exit, carriageway, passage or thoroughfare in a parking facility	\$200
58.	3.5(3)(c)	Stopping or parking a vehicle on an intersection	\$200
59.	3.5(3)(d)	Stopping or parking within 20 metres from an intersecting carriageway with traffic-control signals	\$200
60.	3.5(3)(e)	Stopping or parking within 10 metres of the prolongation of nearest edge of intersecting carriageway	\$90
61.	3.5(3)(f)	Stopping or parking on or over a footpath, pedestrian crossing, children's crossing or place for pedestrians	\$200
62.	3.5(3)(g)	Stopping or parking alongside or opposite construction works where vehicle obstructs traffic	\$200
63.	3.5(3)(h)	Stopping or parking on a bridge or within a tunnel or underpass	\$150
64.	3.5(3)(i)	Stopping or parking between the boundaries of a carriageway and any continuous double line	\$90
65.	3.5(3)(j)	Stopping or parking closer than 3 metres to double longitudinal lines	\$150
66.	3.5(3)(k)	Stopping or parking within head of a cul-de-sac	\$120
67.	3.6	Stopping or parking across a driveway or other way of access	\$200
68.	3.7	Stopping unlawfully on crests/curves etc.	\$150
69.	3.8(a)	Stopping or parking within 1 metre of fire hydrant or fire plug	\$90

70.	3.8(b)	Stopping or parking within 3 metres of public post box	\$90
71.	3.9(1)(a)	Stopping or parking within 10 metres of departure side or within 20 metres of approach side of a bus embayment or bus zone	\$90
72.	3.9(1)(b)	Stopping or parking within 10 metres of departure side or within 20 metres of approach side of a pedestrian crossing	\$90
73.	3.9(1)(c)	Stopping or parking within 10 metres of departure side or within 20 metres of approach side of a children's crossing	\$90
74.	3.9(1)(d)	Stopping or parking within 10 metres of departure side or within 20 metres of approach side of a railway level crossing	\$90
75.	3.9(2)(a)	Stopping or parking a vehicle within 3 metres of the departure side or within 10 metres of the approach side of a pedestrian crossing that is not an intersection	\$200
76.	3.9(2)(b)	Stopping or parking a vehicle within 3 metres of the departure side or within 10 metres of the approach side of a bicycle crossing that is not an intersection	\$200
77.	3.10(1)	Moving a vehicle along carriageway to avoid time limitation	\$120
78.	3.10(2)	Moving a vehicle within parking station to avoid time limitation	\$120
79.	3.10(3)	Obtaining more than one free parking ticket or parking period	\$120
80.	3.11	Stopping or parking unlawfully in a pedestrian mall	\$90
81.	3.12(1)	Stopping or parking a vehicle in a public bus zone	\$150
82.	3.12(2)	Stopping or parking public bus in bus zone when not picking up or setting down passengers	\$150
83.	3.13(1)	Stopping or parking in charter vehicle zone when not a charter vehicle	\$150
84.	3.13(2)(a)	Stopping or parking charter vehicle (12 or more seats) in charter vehicle zone for longer than maximum period	\$150
85.	3.13(2)(b)	Stopping or parking charter vehicle (less than 12 seats) in charter vehicle zone for longer than maximum period	\$150
86.	3.13(3)	Leaving charter vehicle unattended in charter vehicle zone	\$150
87.	3.14(1)	Stopping unlawfully in a taxi zone	\$150
88.	3.14(2)	Leaving taxi unattended while in a taxi zone	\$150
89.	3.15(8)	Stopping or parking a vehicle in a work zone	\$150
90.	3.16	Stopping or parking unlawfully in shared zone	\$90
91.	3.17	Unlawfully stopping or parking heavy or long vehicles on a carriageway	\$120
92.	4.1(1)	Failure to pay fee	\$90
93.	4.2	Inserting anything other than the permitted forms of payment in a fee paying machine	\$90

94.	4.3	Operating a fee paying machine contrary to instructions	\$90
95.	4.4	Stopping or parking in metered space for longer than the maximum period	\$90
96.	4.5(1)(a)	Failure to display valid parking ticket	\$90
97.	4.5(1)(b) and 4.5(1)(c)	Stopping or parking beyond permitted parking period	\$90
98.	4.6	Unlawfully leaving vehicle parked in reserved fee paying zone	\$120
99.	4.7(a)	Stopping or parking in a fee paying zone outside the period which stopping or parking is allowed	\$90
100.	4.7(b)	Stopping or parking in a fee paying zone for longer than the permitted period	\$90
101.	4.8(a)	Displaying a counterfeit, altered, obliterated or interfered with parking ticket	\$200
102.	4.8(b)	Producing to an authorised person a counterfeit, altered, obliterated or interfered with parking ticket	\$200
103.	5.1	Unlawfully entering a parking station	\$120
104.	5.2	Stopping or parking in a parking station without paying the appropriate fee	\$90
105.	5.2(d)	Failure to park wholly within parking bay in a parking station	\$90
106.	5.4(1)	Unlawfully removing stopped or parked vehicle from parking station	\$200
107.	5.4(2)	Failure to pay fee within 3 working days from the time of issue of the notice	\$120
108.	5.5	Stopping or parking in parking station for longer than the maximum period	\$90
109.	5.6	Failure to enter and exit parking facility through authorised entry or exit	\$120
110.	5.8(1)	Failure to leave parking station at the direction of a police officer or authorised person	\$200
111.	5.8(2)	Loitering in a parking station	\$120
112.	5.9	Driving a vehicle past a low clearance sign	\$200
113.	6.4	Impersonating an authorised person	\$200
114.	6.5	Obstructing an authorised person	\$200
115.	6.6	Unlawfully removing notice from vehicle	\$150
116.	6.7(a)	Unauthorised display, marking, setting up, exhibiting of a sign	\$150
117.	6.7(b)	Removing, defacing or misusing a sign or the property of the City	\$90
118.	6.7(c)	Affixing anything to a sign or fee paying machine	\$90

119.	6.8(2)	Removing or interfering with a lawful mark on a tyre	\$200
120.	6.11	Interfering with, damaging or obstructing City property	\$500

Dated XX XXX 2024

The Common seal of the City of Vincent was affixed by authority of a resolution of the Council in the presence of-  
ALISON XAMON, Mayor

DAVID MACLENNAN, Chief Executive Officer

## Parking Amendment Local Law 2024 – DLGSC Comments

**Minor edits:**

The following minor amendments are suggested:

- **Clause 4(1):**
  - Insert tab before the line beginning with “*parking region*” for clarity
  - Amend the quotation marks to begin at “*parking region*” and finish at “clause 1.5.”
- **Clause 4(2):** clarify whether it is also intended for the word “**symbol**” itself to be deleted from the clause
- **Clause 5:**
  - At (1)(f), insert “or” after “clause 3.6”
  - At (1)(g)(ii), insert “or” after “crossing;”
- **Clause 6:**
  - At (1)(d), replace “and” with “or”
  - At (2)(a), amend formatting so (i) and (ii) align correctly
  - At (2)(b)(ii), delete end quotation mark after “event.”
  - At 3(a), delete semicolon after “or”
  - Consider amending (3)(c)-(d) to be a separate paragraph for clarity.

Parking Amendment Local Law 2024 – Public submissions

#	Comment	Administration Comment
1	It seems that there is little change to the law apart from trying to make money, I know of at least two outstanding requests for Engineering to attend issues that has been outstanding for more that 6 months. Yet you have time to amend laws to make more money.	Noted
2	<p>Clause 2.6(1)(g)(i) - why does this reference a bus embayment and not bus stop? This is inconsistent with the Road Traffic Code 2000 Regulation 164(1) and is likely to catch out a lot of otherwise innocent drivers who do not expect to see a 'default' stopping/parking provision in that location.</p> <p>the fundamental difference is that a bus stop is a defined single point, marked by a bus stop sign. A bus embayment is a lot more vague and can take a wide range of different forms which you would need a couple of traffic engineers to argue about the definition to be sure of!</p> <p>I accept there is a need to prohibit stopping and parking near bus embayments at certain locations, but not at all locations. Therefore it is more appropriate to achieve this by using parking regulatory signs at the relevant locations, not a default/invisible parking ban.</p> <p>I also note that a lot of existing parking regulatory signs will need to be reviewed and replaced to avoid conflicting with this new Parking Law, as there are many locations where stopping and parking is permitted adjacent to bus embayments in school zones.</p> <p>I would support the amendment if Clause 5(1)(g)(i) was modified to "bus stop" rather than "bus embayment" and this is the most appropriate solution.</p>	Noted. Current clause which references 'bus embayment or a bus zone' is consistent with signage that is in place in these locations, which references 'Bus Zone'.
3	The fine needs to be \$200 across the board. There needs to be a fine for parking too close to a corner eg park a certain distance ? from any corner	Penalty exists for this offence at clause 3.5(3)(e) in the Principle local law. The penalty set is \$90, consistent with other clauses where stopping or parking within a specific distance is not permissible.
4	No Comment	Noted
5	No Comment	Noted
6	Parking in Bike Lanes needs to be acknowledged. As someone who commutes by bike, cars parking in bike lanes is something I see everyday but this doesn't seem to be represented in this document.	Stopping or parking in a bicycle lane or path exists in the Principle local law at clause 2.3(2)(i).
7	I don't know. There is no summary of what has actually changed. The entire 29-page document (who reads that whole thing?) makes no mention of e-scooters and other	Noted. E-Scooters are covered under the Local Government Property Local Law 2021 as 'wheeled recreational device'.

	such vehicles, despite these now being 'parked' all over Vincent. So I can't really say I support or oppose this law.	
8	No Comment	Noted
9	Schedule 1 at line 44 and 45 refences incorrect clauses.	This has been corrected to reference correct clause.