

appendices



Elected Members Briefing Session
5 November 2013
And

Ordinary Meeting of Council
12 November 2013

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10.1 CEO APPENDIX – COUNCIL COMMITTEE WG & PT



Council Committees, Working Groups and Project Teams

1 - Arts Working Group Terms of Reference

Arts Working Group: Terms of Reference

Terms of Reference

1 NAME

- 1.1 The name of the Working Group shall be the Arts Working Group

2 AIMS AND OBJECTIVES

The strategic focus for the Arts Working Group is aligned to the Town's Strategic Community Plan 2013 – 2028.

The purpose of the Arts Working Group is to contribute to the vibrant lifestyle of the Town by:

- 2.1 Providing advice to the Council on matters relating to the review, development and implementation of the Public Art Masterplan.
- 2.2 Providing advice to the Council regarding the creation of a vibrant Town that is a place of social interaction, creativity and vitality.
- 2.3 Assisting the Council to develop the Town of Victoria Park as a 'Living Canvas' through the creation of opportunities for a diverse range of creative endeavours and expressions (including fine arts, music, visual arts, literary arts, performing art) and forms of creative expression.
- 2.4 Assisting the Council in developing and implementing an Arts Annual Work Plan.

3 MEMBERSHIP

The working Group will compromise a maximum of 8 members consisting of the following:

- 3.1 Elected Members
 - 3.1.1 A maximum of three (3) Elected Members with one Elected Member nominated as Presiding Member.
- 3.2 Community Members shall comprise up to five (5) inclusive of experts.
 - 3.2.1 At least one community member from each of the 2 wards of the district (to be selected by the Council from nominations received). Criteria for the selection will be based on the individual's interest, experience and/or qualifications in issues pertaining to the Arts Working Group.
 - 3.2.2 Community Member places will be advertised and interested residents/ratepayers will be requested to submit an expression of interest addressing specific criteria outlined in the Expression of Interest Form.
 - 3.2.3 Information on the Arts Working Group and the call for 'Expressions of Interest' will also be sent to previous members and ratepayers groups in each ward.
 - 3.2.4 Final selection for serving on the Arts Working Group will be determined by Council.

3.3 Experts

- 3.3.1 Places will be available for suitably qualified professionals who can provide expert advice/information as necessary.
- 3.3.2 Expert Advisor places will be advertised and interested professionals will be requested to submit an expression of interest addressing specific criteria outlined in the Expression of Interest Form.
- 3.3.3 Information on the Arts Working Group and the call for expressions of interest will also be sent to relevant professional networks.
- 3.3.4 Preference will be given to those expressions of interest where the nominee resides, works or owns property in the Town of Victoria Park or has a direct interest in the district.
- 3.3.5 Final selection for serving on the Arts Working Group will be determined by Council.
- 3.3.6 The Arts Working Group has the authority to second individuals from outside of the Arts on a voluntary basis for their expert advice where required.

3.4 Term of Membership.

The term of membership will be for two years commencing on 1 December and concluding in October in line with the ordinary Council election cycle.

3.5 Town of Victoria Park Officers.

- 3.5.1 The Director Community Life Program or representative will attend meetings of the Arts Working Group. Staff will attend meetings to present reports and provide technical advice and secretarial support where required and are not members.

4 MEETINGS

- 4.1 The Arts Working Group shall convene no more than four general or ordinary meetings will be held each year.
- 4.2 A quorum for any meeting of the Arts Working Group shall be no less than two of the three Elected Members and half of the number of community members/expert advisors appointed.
- 4.3 All members shall have one vote. The Presiding Member shall also have the right to a casting vote; simple majority will prevail.
- 4.4 The Presiding Member will preside at all meetings and is responsible for the proper conduct of the meetings. In his/her absence the role of Presiding Member will be assumed by any of the other two Elected Members nominated to the Arts Working Group by the Council.

5 AGENDAS

- 5.1 The Administration will determine the Agenda for each meeting in accordance with the Annual Work Plan endorsed by the Council.

- 5.2 All meetings shall be confined to the items listed on the annual Work Plan unless the Council determines that additional matters be referred to the Working Group.
- 5.3 The meetings of the Arts Working Group cannot call for reports outside of the Work Plan or Terms of Reference.
- 5.4 Work Plans will be developed annually by Town's officers and endorsed by the Council taking account of the Town's Strategic Community Plan 2013 – 2028, strategic planning objectives, annual priorities or any other of the Town's plans or initiatives.

6 ACTION NOTES

- 6.1 The Administration will maintain Action Notes of the items discussed at each meeting and the outcomes from discussions. The notes may be used as the basis for further action by the Town on an item. (Verbatim minutes of discussion will not be taken).
- 6.2 Matters requiring action by Council shall be moved and seconded as recommendations to the Council and shall be the subject of specific reports by the Administration to the Council as an agenda item.

7 INSURANCES

- 7.1 The Town shall arrange all insurances affecting the Arts Working Group in discharging the normal course of its duties and for any associated public liability.

8 MANAGEMENT

- 8.1 The Arts Working Group has no delegated powers or authority to:
- 8.2 Represent the Town of Victoria Park;
- 8.3 Implement recommendations without approval of the Council; and
- 8.4 Commit Council to the expenditure of funds.
- 8.5 Members must comply with the Town's Code of Conduct.

9 TENURE OF APPOINTMENT

- 9.1 If a member fails to attend three consecutive meetings of the (insert Working Group or Project Team) without lodging an apology his/her appointment shall be automatically terminated unless leave of absence has been granted.
- 9.2 The appointment for all members will expire every two (2) years on the ordinary Election Day as specified in the Local Government Act 1995.



Council Committees, Working Groups and Project Teams

2 - Business Life Working Group Terms of Reference

Business Life Working Group: Terms of Reference

Terms of Reference

1 NAME

- 1.1 The name of the Working Group shall be the Business Life Working Group

2 AIMS AND OBJECTIVES

The strategic focus for the Business Life Working Group is aligned to the Town's Strategic Community Plan 2013 – 2028.

The purpose of the Business Life Working Group is to contribute to the vibrant lifestyle of the Town by:

- 2.1 Assisting the Council in achieving good economic outcomes for the Town;
- 2.2 Providing advice to the Council regarding the creation of vibrant business community supporting social interaction, creativity and vitality;
- 2.3 Providing input into policies, documents, plans, reports and programs developed by the Town as it relates to the Business Community;
- 2.4 Providing advice to the Council on matters relating to the implementation of the Town's Economic Strategy and Tourism Plan 2013 – 2020;
- 2.5 Supporting Council to connect people to services, resources, information, facilities and experiences that enhance the economic position of the Town.

3 MEMBERSHIP

The Business Life Working Group will compromise a maximum of 8 members consisting of the following:

- 3.1 Elected Members
 - 3.1.1 A maximum of three (3) Elected Members with one Elected Member nominated as Presiding Member.
- 3.2 Community Members shall comprise up to five (5) inclusive of experts.
 - 3.2.1 At least one community member from each of the 2 wards of the district (to be selected by the Council from nominations received). Criteria for the selection will be based on the individual's interest, experience and/or qualifications in issues pertaining to the Business Life Working Group.
 - 3.2.2 Community Member places will be advertised and interested residents/ratepayers will be requested to submit an expression of interest addressing specific criteria outlined in the Expression of Interest Form.
 - 3.2.3 Information on the Business Life Working Group and the call for 'Expressions of Interest' will also be sent to previous members and ratepayers groups in each ward.
 - 3.2.4 Final selection for serving on the Business Life Working Group will be determined by Council.

3.3 Experts

- 3.3.1 Places will be available for suitably qualified professionals who can provide expert advice/information as necessary.
- 3.3.2 Expert Advisor places will be advertised and interested professionals will be requested to submit an expression of interest addressing specific criteria outlined in the Expression of Interest Form.
- 3.3.3 Information on the Business Life Working Group and the call for expressions of interest will also be sent to relevant professional networks.
- 3.3.4 Preference will be given to those expressions of interest where the nominee resides, works or owns property in the Town of Victoria Park or has a direct interest in the district.
- 3.3.5 Final selection for serving on the Business Life Working Group will be determined by Council.
- 3.3.6 The Business Life Working Group has the authority to second individuals from outside of the Business Life Working Group on a voluntary basis for their expert advice where required.

3.4 Term of Membership.

The term of membership will be for two years commencing on 1 December and concluding in October in line with the ordinary Council election cycle.

3.5 Town of Victoria Park Officers.

- 3.5.1 The Director Business Life Program or representative will attend meetings of the Business Life Working Group. Staff will attend meetings to present reports and provide technical advice and secretarial support where required and are not members.

4 MEETINGS

- 4.1 The Business Life Working Group shall convene no more than four general or ordinary meetings will be held each year.
- 4.2 A quorum for any meeting of the Business Life Working Group shall be no less than two of the three Elected Members and half of the number of community members/expert advisors appointed.
- 4.3 All members shall have one vote. The Presiding Member shall also have the right to a casting vote; simple majority will prevail.
- 4.4 The Presiding Member will preside at all meetings and is responsible for the proper conduct of the meetings. In his/her absence the role of Presiding Member will be assumed by any of the other two Elected Members nominated to the Business Life Working Group by the Council.

5 AGENDAS

- 5.1 The Administration will determine the Agenda for each meeting in accordance with the Annual Work Plan endorsed by the Council.
- 5.2 All meetings shall be confined to the items listed on the annual Work Plan unless the Council determines that additional matters be referred to the Working Group.
- 5.3 The meetings of the Business Life Working Group cannot call for reports outside of the Work Plan or Terms of Reference.
- 5.4 Work Plans will be developed annually by Town's officers and endorsed by the Council taking account of the Town's Strategic Community Plan 2013 – 2028, strategic planning objectives, annual priorities or any other of the Town's plans or initiatives.

6 ACTION NOTES

- 6.1 The Administration will maintain Action Notes of the items discussed at each meeting and the outcomes from discussions. The notes may be used as the basis for further action by the Town on an item. (Verbatim minutes of discussion will not be taken).
- 6.2 Matters requiring action by Council shall be moved and seconded as recommendations to the Council and shall be the subject of specific reports by the Administration to the Council as an agenda item.

7 INSURANCES

- 7.1 The Town shall arrange all insurances affecting the Business Life Working Group in discharging the normal course of its duties and for any associated public liability.

8 MANAGEMENT

- 8.1 The Business Life Working Group has no delegated powers or authority to:
- 8.2 Represent the Town of Victoria Park;
- 8.3 Implement recommendations without approval of the Council; and
- 8.4 Commit Council to the expenditure of funds.
- 8.5 Members must comply with the Town's Code of Conduct.

9 TENURE OF APPOINTMENT

- 9.1 If a member fails to attend three consecutive meetings of the Business Life Working Group without lodging an apology his/her appointment shall be automatically terminated unless leave of absence has been granted.
- 9.2 The appointment for all members will expire every two (2) years on the ordinary Election Day as specified in the Local Government Act 1995.



Council Committees, Working Groups and Project Teams

3 - Community Environmental Working Group Terms of Reference

Community Environmental Working Group: Terms of Reference

Terms of Reference

1. NAME

- 1.1 The name of the Working Group shall be the Community Environmental Working Group

2. AIMS AND OBJECTIVES

The strategic focus for the **Community Environmental Working Group (CEWG)** is aligned to the Town's Strategic Community Plan 2013 – 2028.

The purpose of the **CEWG** is to contribute to the vibrant lifestyle of the Town by:

- 2.1 Identifying and raising environmental issues of concern to the community as they relate to the Work Plan.
- 2.2 Providing input, from a community perspective, into key environmental policies, documents, plans, reports and programs developed by the Town as it relates to the Work Plan.
- 2.3 Providing leadership in the role of environmental education within the community.
- 2.4 Actively participating in actions resulting from the Work Plan.

3. MEMBERSHIP

The Working Group will comprise a maximum of 8 members consisting of the following:

- 3.1 Elected Members
 - 3.1.1 A maximum of three (3) Elected Members with one Elected Member nominated as Presiding Member.
- 3.2 Community Members shall comprise up to five (5) inclusive of experts.
 - 3.2.1 At least one community member from each of the 2 wards of the district (to be selected by the Council from nominations received). Criteria for the selection will be based on the individual's interest, experience and/or qualifications in issues pertaining to the Community Environmental Working Group.
 - 3.2.2 Community Member places will be advertised and interested residents/ratepayers will be requested to submit an expression of interest addressing specific criteria outlined in the Expression of Interest Form.
 - 3.2.3 Information on the Community Environmental Working Group and the call for 'Expressions of Interest' will also be sent to previous members and ratepayers groups in each ward.
 - 3.2.4 Final selection for serving on the Community Environmental Working Group will be determined by Council.

3.3 Experts

- 3.3.1 Places will be available for suitably qualified professionals who can provide expert advice/information as necessary.
- 3.3.2 Expert Advisor places will be advertised and interested professionals will be requested to submit an expression of interest addressing specific criteria outlined in the Expression of Interest Form.
- 3.3.3 Information on the Community Environmental Working Group and the call for expressions of interest will also be sent to relevant professional networks.
- 3.3.4 Preference will be given to those expressions of interest where the nominee resides, works or owns property in the Town of Victoria Park or has a direct interest in the district.
- 3.3.5 Final selection for serving on the Community Environmental Working Group will be determined by Council.
- 3.3.6 The Community Environmental Working Group has the authority to second individuals from outside of the Arts on a voluntary basis for their expert advice where required.

3.4 Term of Membership.

The term of membership will be for two years commencing on 1 December and concluding in October in line with the ordinary Council election cycle.

3.5 Town of Victoria Park Officers.

- 3.5.1 The Director Community Life Program or representative will attend meetings of the Community Environmental Working Group. Staff will attend meetings to present reports and provide technical advice and secretarial support where required and are not members.

4. MEETINGS

- 4.1 The Community Environmental Working Group shall convene no more than six general or ordinary meetings will be held each year.
- 4.2 A quorum for any meeting of the Community Environmental Working Group shall be no less than two of the three Elected Members and half of the number of community members/expert advisors appointed.
- 4.3 All members shall have one vote. The Presiding Member shall also have the right to a casting vote; simple majority will prevail.
- 4.4 The Presiding Member will preside at all meetings and is responsible for the proper conduct of the meetings. In his/her absence the role of Presiding Member will be assumed by any of the other two Elected Members nominated to the Community Environmental Working Group by the Council.

5. AGENDAS

- 5.1 The Administration will determine the Agenda for each meeting in accordance with the Annual Work Plan endorsed by the Council.
- 5.2 All meetings shall be confined to the items listed on the Annual Work Plan unless the Council determines that additional matters be considered.
- 5.3 Reports outside of the Annual Work Plan or Terms of Reference cannot be called for.

- 5.4 Work Plans will be developed annually by the Administration and endorsed by the Council taking account of the Town's Plan for the Future, strategic planning objectives, annual priorities or any other of the Town's plans or initiatives.

6. ACTION NOTES

- 6.1 The Administration will maintain Action Notes of the items discussed at each meeting and the outcomes from discussions. The notes may be used as the basis for further action by the Town on an item. (Verbatim minutes of discussion will not be taken).
- 6.2 Matters requiring action by Council shall be moved and seconded as recommendations to the Council and shall be the subject of specific reports by the Administration to the Council as an agenda item.

7 INSURANCES

- 7.1 The Town shall arrange all insurances affecting the Community Environmental Working Group in discharging the normal course of its duties and for any associated public liability.

8 MANAGEMENT

- 8.1 The Community Environmental Working Group has no delegated powers or authority to:
- 8.2 Represent the Town of Victoria Park;
- 8.3 Implement recommendations without approval of the Council; and
- 8.4 Commit Council to the expenditure of funds.
- 8.5 Members must comply with the Town's Code of Conduct.

9 TENURE OF APPOINTMENT

- 9.1 If a member fails to attend three consecutive meetings of the Community Environmental Working Group without lodging an apology his/her appointment shall be automatically terminated unless leave of absence has been granted.
- 9.2 The appointment for all members will expire every two (2) years on the ordinary Election Day as specified in the Local Government Act 1995.



Council Committees, Working Groups and Project Teams

4 - Community Safety Working Group Terms of Reference

Community Safety Working Group: Terms of Reference

Terms of Reference

1. NAME

- 1.1 The name of the Working Group shall be the Community Safety Working Group

2. AIMS AND OBJECTIVES

The strategic focus of the Community Safety Working Group is aligned to the Town's Strategic Community Plan 2013 – 2028.

The purpose of the Community Safety Working Group is to contribute to the vibrant lifestyle of the Town by

- 2.1 Provide advice to the Council on matters relating to the development and implementation of the Town's Safer Neighbourhood Plan 2013 2016;
- 2.2 Assist the Council to connect people to services, resources, information, facilities and experiences that enhance their physical and social well-being; and
- 2.3 Assist the Council in developing and implementing a Community Safety Annual Work Plan.

3. MEMBERSHIP

The working Group will compromise a maximum of 8 members consisting of the following:

3.1 Elected Members

- 3.1.1 A maximum of three (3) Elected Members with one Elected Member nominated as Presiding Member.

3.2 Community Members shall comprise up to five (5) inclusive of experts.

- 3.2.1 At least one community member from each of the 2 wards of the district (to be selected by the Council from nominations received). Criteria for the selection will be based on the individual's interest, experience and/or qualifications in issues pertaining to the Community Safety Working Group.
- 3.2.2 Community Member places will be advertised and interested residents/ratepayers will be requested to submit an expression of interest addressing specific criteria outlined in the Expression of Interest Form.
- 3.2.3 Information on the Community Safety Working Group and the call for 'Expressions of Interest' will also be sent to previous members and ratepayers groups in each ward.
- 3.2.4 Final selection for serving on the Community Safety Working Group will be determined by Council.

3.3 Experts

- 3.3.1 Places will be available for suitably qualified professionals who can provide expert advice/information as necessary.
- 3.3.2 Expert Advisor places will be advertised and interested professionals will be requested to submit an expression of interest addressing specific criteria outlined in the Expression of Interest Form.
- 3.3.3 Information on the Community Safety Working Group and the call for expressions of interest will also be sent to relevant professional networks.
- 3.3.4 Preference will be given to those expressions of interest where the nominee resides, works or owns property in the Town of Victoria Park or has a direct interest in the district.
- 3.3.5 Final selection for serving on the Community Safety Working Group will be determined by Council.
- 3.3.6 The Community Safety Working Group has the authority to second individuals from outside of the Community Safety Working on a voluntary basis for their expert advice where required.

3.4 Term of Membership.

The term of membership will be for two years commencing on 1 December and concluding in October in line with the ordinary Council election cycle.

3.5 Town of Victoria Park Officers.

- 3.5.1 The Director Community Life Program or representative will attend meetings of the Community Safety Working Group. Staff will attend meetings to present reports and provide technical advice and secretarial support where required and are not members.

4. MEETINGS

- 4.1 The Community Safety Working Group shall convene no more than six general or ordinary meetings will be held each year.
- 4.2 A quorum for any meeting of the Community Safety Working Group shall be no less than two of the three Elected Members and half of the number of community members/expert advisors appointed.
- 4.3 All members shall have one vote. The Presiding Member shall also have the right to a casting vote; simple majority will prevail.
- 4.4 The Presiding Member will preside at all meetings and is responsible for the proper conduct of the meetings. In his/her absence the role of Presiding Member will be assumed by any of the other two Elected Members nominated to the Community Safety Working Group by the Council.

5. AGENDAS

- 5.1 The Administration will determine the Agenda for each meeting in accordance with the Annual Work Plan endorsed by the Council.
- 5.2 All meetings shall be confined to the items listed on the annual Work Plan unless the Council determines that additional matters be referred to the Working Group.
- 5.3 The meetings of the Community Safety Working Group cannot call for reports outside of the Work Plan or Terms of Reference.
- 5.4 Work Plans will be developed annually by Town's officers and endorsed by the Council taking account of the Town's Strategic Community Plan 2013 – 2028, strategic planning objectives, annual priorities or any other of the Town's plans or initiatives.

6. ACTION NOTES

- 6.1 The Administration will maintain Action Notes of the items discussed at each meeting and the outcomes from discussions. The notes may be used as the basis for further action by the Town on an item. (Verbatim minutes of discussion will not be taken).
- 6.2 Matters requiring action by Council shall be moved and seconded as recommendations to the Council and shall be the subject of specific reports by the Administration to the Council as an agenda item.

7. INSURANCES

The Town shall arrange all insurances affecting the Community Safety Working Group in discharging the normal course of its duties and for any associated public liability.

8. MANAGEMENT

- 8.1 The Community Safety Working Group has no delegated powers or authority to:
- 8.2 Represent the Town of Victoria Park;
- 8.3 Implement recommendations without approval of the Council; and
- 8.4 Commit Council to the expenditure of funds.
- 8.5 Members must comply with the Town's Code of Conduct.

9. TENURE OF APPOINTMENT

- 9.1 If a member fails to attend three consecutive meetings of the Community Safety Working Group without lodging an apology his/her appointment shall be automatically terminated unless leave of absence has been granted.
- 9.2 The appointment for all members will expire every two (2) years on the ordinary Election Day as specified in the Local Government Act 1995.



Council Committees, Working Groups and Project Teams

5 - Culture and Local History Working Group Terms of Reference

Culture and Local History Working Group: Terms of Reference

Terms of Reference

1. NAME

- 1.1 The name of the Working Group shall be the Culture and Local History Working Group

2. AIMS AND OBJECTIVES

The strategic focus of the Culture and Local History Working Group is aligned to the Town's Strategic Community Plan 2013 – 2028.

The purpose of the Culture and Local History Working Group is to contribute to the vibrant lifestyle of the Town by

- 2.1 Providing advice to the Council on promoting and celebrating the rich history and heritage of the Town;
- 2.2 Assisting the Council in developing, maintaining and promoting the Local History Collection as a significant resource;
- 2.3 Providing advice to the Council in developing, implementing and maintaining the Local History Plan;
- 2.4 Providing advice to Council regarding how to celebrate cultural diversity and promote cultural harmony; and
- 2.5 Assisting the Council in developing and implementing a Culture and Local History Annual Work Plan

3. MEMBERSHIP

The working Group will comprise a maximum of 8 members consisting of the following:

- 3.1 Elected Members
 - 3.1.1 A maximum of three (3) Elected Members with one Elected Member nominated as Presiding Member.
- 3.2 Community Members shall comprise up to five (5) inclusive of experts.
 - 3.2.1 At least one community member from each of the 2 wards of the district (to be selected by the Council from nominations received). Criteria for the selection will be based on the individual's interest, experience and/or qualifications in issues pertaining to the Culture and Local History Working Group.
 - 3.2.2 Community Member places will be advertised and interested residents/ratepayers will be requested to submit an expression of interest addressing specific criteria outlined in the 'Expression of Interest Form'.
 - 3.2.3 Information on the Culture and Local History Working Group and the call for 'Expressions of Interest' will also be sent to previous members and ratepayers groups in each ward.

3.2.4 Final selection for serving on the Culture and Local History Working Group will be determined by Council.

3.3 Experts

3.3.1 Places will be available for suitably qualified professionals who can provide expert advice/information as necessary.

3.3.2 Expert Advisor places will be advertised and interested professionals will be requested to submit an expression of interest addressing specific criteria outlined in the Expression of Interest Form.

3.3.3 Information on the Culture and Local History Working Group and the call for expressions of interest will also be sent to relevant professional networks.

3.3.4 Preference will be given to those expressions of interest where the nominee resides, works or owns property in the Town of Victoria Park or has a direct interest in the district.

3.3.5 Final selection for serving on the Culture and Local History Working Group will be determined by Council.

3.3.6 The Culture and Local History Working Group has the authority to second individuals from outside of the Culture and Local History Working Group on a voluntary basis for their expert advice where required.

3.4 Term of Membership.

The term of membership will be for two years commencing on 1 December and concluding in October in line with the ordinary Council election cycle.

3.5 Town of Victoria Park Officers.

3.5.1 The Director Community Life Program or representative will attend meetings of the Culture and Local History Working Group. Staff will attend meetings to present reports and provide technical advice and secretarial support where required and are not members.

4. MEETINGS

4.1 The Culture and Local History Working Group shall convene no more than four general or ordinary meetings will be held each year.

4.2 A quorum for any meeting of the Culture and Local History Working Group shall be no less than two of the three Elected Members and half of the number of community members/expert advisors appointed.

4.3 All members shall have one vote. The Presiding Member shall also have the right to a casting vote; simple majority will prevail.

4.4 The Presiding Member will preside at all meetings and is responsible for the proper conduct of the meetings. In his/her absence the role of Presiding Member will be assumed by any of the other two Elected Members nominated to the Culture and Local History Working Group by the Council.

5. AGENDAS

- 5.1 The Administration will determine the Agenda for each meeting in accordance with the Annual Work Plan endorsed by the Council.
- 5.2 All meetings shall be confined to the items listed on the annual Work Plan unless the Council determines that additional matters be referred to the Working Group.
- 5.3 The meetings of the Culture and Local History Working Group cannot call for reports outside of the Work Plan or Terms of Reference.
- 5.4 Work Plans will be developed annually by Town's officers and endorsed by the Council taking account of the Town's Strategic Community Plan 2013 – 2028, strategic planning objectives, annual priorities or any other of the Town's plans or initiatives.

6. ACTION NOTES

- 6.1 The Administration will maintain Action Notes of the items discussed at each meeting and the outcomes from discussions. The notes may be used as the basis for further action by the Town on an item. (Verbatim minutes of discussion will not be taken).
- 6.2 Matters requiring action by Council shall be moved and seconded as recommendations to the Council and shall be the subject of specific reports by the Administration to the Council as an agenda item.

7. INSURANCES

The Town shall arrange all insurances affecting the Culture and Local History Working Group in discharging the normal course of its duties and for any associated public liability.

8. MANAGEMENT

- 8.1 The Culture and Local History Working Group has no delegated powers or authority to:
- 8.2 Represent the Town of Victoria Park;
- 8.3 Implement recommendations without approval of the Council; and
- 8.4 Commit Council to the expenditure of funds.
- 8.5 Members must comply with the Town's Code of Conduct.

9. TENURE OF APPOINTMENT

- 9.1 If a member fails to attend three consecutive meetings of the Culture and Local History Working Group without lodging an apology his/her appointment shall be automatically terminated unless leave of absence has been granted.
- 9.2 The appointment for all members will expire every two (2) years on the ordinary Election Day as specified in the Local Government Act 1995.



Council Committees, Working Groups and Project Teams

6 - Disability Access Working Group Terms of Reference

Disability Access Working Group: Terms of Reference

Terms of Reference

1. NAME

- 1.1 The name of the Working Group shall be the Disability Access Working Group

2. AIMS AND OBJECTIVES

The strategic focus of the Disability Access Working Group is aligned to the Town's Strategic Community Plan 2013 – 2028.

The purpose of the Disability Access Working Group is to contribute to the vibrant lifestyle of the Town by

- 2.1 Providing advice to the Council on matters relating to the implementation of the Disability Access and Inclusion Plan
- 2.2 Assisting the Council to promote access and equity in service provision for all members of the community
- 2.3 Assisting the Council in developing and implementing a Disability Access Annual Work Plan.

3. MEMBERSHIP

The Disability Access Working Group will comprise a maximum of 8 members consisting of the following:

3.1 Elected Members

- 3.1.1 A maximum of three (3) Elected Members with one Elected Member nominated as Presiding Member.

3.2 Community Members shall comprise up to five (5) inclusive of experts.

- 3.2.1 At least one community member from each of the 2 wards of the district (to be selected by the Council from nominations received). Criteria for the selection will be based on the individual's interest, experience and/or qualifications in issues pertaining to the Disability Access Working Group.
- 3.2.2 Community Member places will be advertised and interested residents/ratepayers will be requested to submit an expression of interest addressing specific criteria outlined in the Expression of Interest Form.
- 3.2.3 Information on the Disability Access Working Group and the call for 'Expressions of Interest' will also be sent to previous members and ratepayers groups in each ward.
- 3.2.4 Final selection for serving on the Disability Access Working Group will be determined by Council.

3.3 Experts

- 3.3.1 Places will be available for suitably qualified professionals who can provide expert advice/information as necessary.
- 3.3.2 Expert Advisor places will be advertised and interested professionals will be requested to submit an expression of interest addressing specific criteria outlined in the Expression of Interest Form.
- 3.3.3 Information on the Disability Access Working Group and the call for expressions of interest will also be sent to relevant professional networks.
- 3.3.4 Preference will be given to those expressions of interest where the nominee resides, works or owns property in the Town of Victoria Park or has a direct interest in the district.
- 3.3.5 Final selection for serving on the Disability Access Working Group will be determined by Council.
- 3.3.6 The Disability Access Working Group has the authority to second individuals from outside of the Disability Access Working Group on a voluntary basis for their expert advice where required.

3.4 Term of Membership.

The term of membership will be for two years commencing on 1 December and concluding in October in line with the ordinary Council election cycle.

3.5 Town of Victoria Park Officers.

- 3.5.1 The Director Community Life Program or representative will attend meetings of the Disability Access Working Group. Staff will attend meetings to present reports and provide technical advice and secretarial support where required and are not members.

4. MEETINGS

- 4.1 The Disability Access Working Group shall convene no more than four general or ordinary meetings will be held each year.
- 4.2 A quorum for any meeting of the Disability Access Working Group shall be no less than two of the three Elected Members and half of the number of community members/expert advisors appointed.
- 4.3 All members shall have one vote. The Presiding Member shall also have the right to a casting vote; simple majority will prevail.
- 4.4 The Presiding Member will preside at all meetings and is responsible for the proper conduct of the meetings. In his/her absence the role of Presiding Member will be assumed by any of the other two Elected Members nominated to the Disability Access Working Group by the Council.

5. AGENDAS

- 5.1 The Administration will determine the Agenda for each meeting in accordance with the Annual Work Plan endorsed by the Council.
- 5.2 All meetings shall be confined to the items listed on the annual Work Plan unless the Council determines that additional matters be referred to the Working Group.
- 5.3 The meetings of the Disability Access Working Group cannot call for reports outside of the Work Plan or Terms of Reference.
- 5.4 Work Plans will be developed annually by Town's officers and endorsed by the Council taking account of the Town's Strategic Community Plan 2013 – 2028, strategic planning objectives, annual priorities or any other of the Town's plans or initiatives.

6. ACTION NOTES

- 6.1 The Administration will maintain Action Notes of the items discussed at each meeting and the outcomes from discussions. The notes may be used as the basis for further action by the Town on an item. (Verbatim minutes of discussion will not be taken).
- 6.2 Matters requiring action by Council shall be moved and seconded as recommendations to the Council and shall be the subject of specific reports by the Administration to the Council as an agenda item.

7. INSURANCES

The Town shall arrange all insurances affecting the Disability Access Working Group in discharging the normal course of its duties and for any associated public liability.

8. MANAGEMENT

- 8.1 The Disability Access Working Group has no delegated powers or authority to:
- 8.2 Represent the Town of Victoria Park;
- 8.3 Implement recommendations without approval of the Council; and
- 8.4 Commit Council to the expenditure of funds.
- 8.5 Members must comply with the Town's Code of Conduct.

9. TENURE OF APPOINTMENT

- 9.1 If a member fails to attend three consecutive meetings of the Disability Access Working Group without lodging an apology his/her appointment shall be automatically terminated unless leave of absence has been granted.
- 9.2 The appointment for all members will expire every two (2) years on the ordinary Election Day as specified in the Local Government Act 1995.



Council Committees, Working Groups and Project Teams

7 - Edward Millen Site Working Group Terms of Reference

EDWARD MILLEN SITE WORKING GROUP - TERMS OF REFERENCE

This Committee is established with the guiding principles to:

- Provide input into the future master planning of the site and associated parcels of land, including the heritage buildings at numbers 4,6,8,10,12 and 14 Kent Street.
- Determine likely users of the facilities - civic, community based and suitable commercial users.
- Provide input into retention of heritage on the site.



Council Committees, Working Groups and Project Teams

8 - Healthy Life Working Group Terms of Reference

Healthy Life Working Group: Terms of Reference

Terms of Reference

1. NAME

- 1.1 The name of the Working Group shall be the Healthy Life Working Group.

2. AIMS AND OBJECTIVES

The strategic focus of the Healthy Life Working Group is aligned to the Town's Strategic Community Plan 2013 – 2028.

The purpose of the Healthy Life Working Group is to contribute to the vibrant lifestyle of the Town by

- 2.1 Support Council to connect people to services, resources, information, facilities and experiences that enhance their physical and social well-being.
- 2.2 Assist the Council to increase and improve opportunities for physical activity through the provision of programs and activities, including active transport initiatives.
- 2.3 Assist the Council in developing and implementing a Healthy Life Annual Work Plan.

3. MEMBERSHIP

The Healthy Life Working Group will compromise a maximum of 8 members consisting of the following:

3.1 Elected Members

- 3.1.1 A maximum of three (3) Elected Members with one Elected Member nominated as Presiding Member.

3.2 Community Members shall comprise up to five (5) inclusive of experts.

- 3.2.1 At least one community member from each of the 2 wards of the district (to be selected by the Council from nominations received). Criteria for the selection will be based on the individual's interest, experience and/or qualifications in issues pertaining to the Healthy Life Working Group.
- 3.2.2 Community Member places will be advertised and interested residents/ratepayers will be requested to submit an expression of interest addressing specific criteria outlined in the Expression of Interest Form.
- 3.2.3 Information on the Healthy Life Working Group and the call for 'Expressions of Interest' will also be sent to previous members and ratepayers groups in each ward.
- 3.2.4 Final selection for serving on the Healthy Life Working Group will be determined by Council.

3.3 Experts

- 3.3.1 Places will be available for suitably qualified professionals who can provide expert advice/information as necessary.
- 3.3.2 Expert Advisor places will be advertised and interested professionals will be requested to submit an expression of interest addressing specific criteria outlined in the Expression of Interest Form.
- 3.3.3 Information on the Healthy Life Working Group and the call for expressions of interest will also be sent to relevant professional networks.
- 3.3.4 Preference will be given to those expressions of interest where the nominee resides, works or owns property in the Town of Victoria Park or has a direct interest in the district.
- 3.3.5 Final selection for serving on the Healthy Life Working Group will be determined by Council.
- 3.3.6 The Healthy Life Working Group has the authority to second individuals from outside of the Healthy Life Working Group on a voluntary basis for their expert advice where required.

3.4 Term of Membership.

The term of membership will be for two years commencing on 1 December and concluding in October in line with the ordinary Council election cycle.

3.5 Town of Victoria Park Officers.

- 3.5.1 The Director Community Life Program or representative will attend meetings of the Healthy Life Working Group. Staff will attend meetings to present reports and provide technical advice and secretarial support where required and are not members.

4. MEETINGS

- 4.1 The Healthy Life Working Group shall convene no more than four general or ordinary meetings will be held each year.
- 4.2 A quorum for any meeting of the Healthy Life Working Group shall be no less than two of the three Elected Members and half of the number of community members/expert advisors appointed.
- 4.3 All members shall have one vote. The Presiding Member shall also have the right to a casting vote; simple majority will prevail.
- 4.4 The Presiding Member will preside at all meetings and is responsible for the proper conduct of the meetings. In his/her absence the role of Presiding Member will be assumed by any of the other two Elected Members nominated to the Healthy Life Working Group by the Council.

5. AGENDAS

- 5.1 The Administration will determine the Agenda for each meeting in accordance with the Annual Work Plan endorsed by the Council.
- 5.2 All meetings shall be confined to the items listed on the annual Work Plan unless the Council determines that additional matters be referred to the Working Group.
- 5.3 The meetings of the Healthy Life Working Group cannot call for reports outside of the Work Plan or Terms of Reference.
- 5.4 Work Plans will be developed annually by Town's officers and endorsed by the Council taking account of the Town's Strategic Community Plan 2013 – 2028, strategic planning objectives, annual priorities or any other of the Town's plans or initiatives.

6. ACTION NOTES

- 6.1 The Administration will maintain Action Notes of the items discussed at each meeting and the outcomes from discussions. The notes may be used as the basis for further action by the Town on an item. (Verbatim minutes of discussion will not be taken).
- 6.2 Matters requiring action by Council shall be moved and seconded as recommendations to the Council and shall be the subject of specific reports by the Administration to the Council as an agenda item.

7. INSURANCES

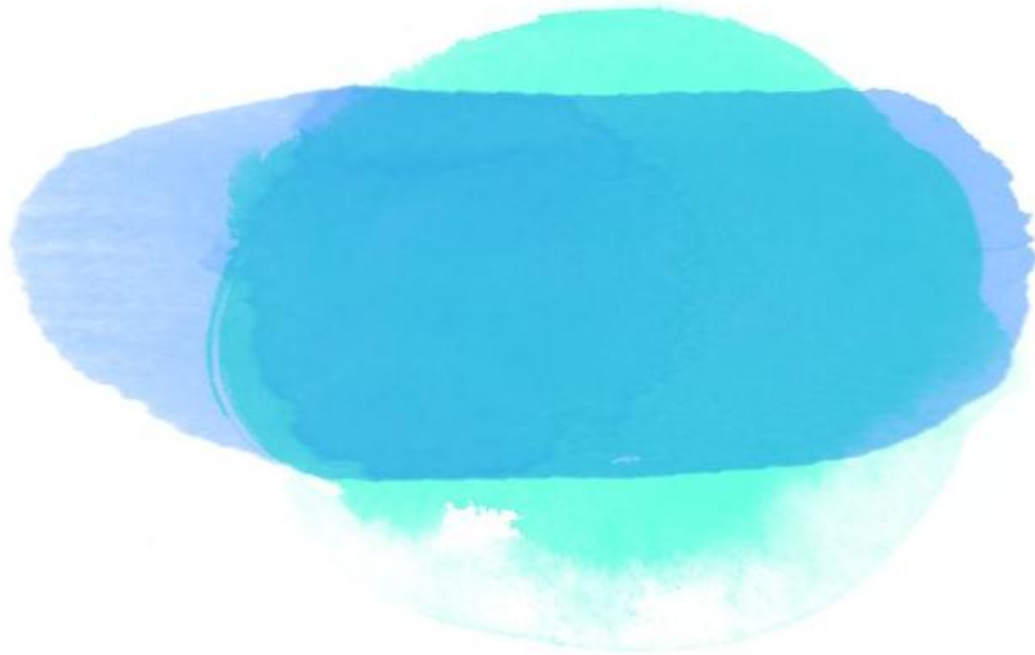
The Town shall arrange all insurances affecting the Healthy Life Working Group in discharging the normal course of its duties and for any associated public liability.

8. MANAGEMENT

- 8.1 The Healthy Life Working Group has no delegated powers or authority to:
- 8.2 Represent the Town of Victoria Park;
- 8.3 Implement recommendations without approval of the Council; and
- 8.4 Commit Council to the expenditure of funds.
- 8.5 Members must comply with the Town's Code of Conduct.

9. TENURE OF APPOINTMENT

- 9.1 If a member fails to attend three consecutive meetings of the Healthy Life Working Group without lodging an apology his/her appointment shall be automatically terminated unless leave of absence has been granted.
- 9.2 The appointment for all members will expire every two (2) years on the ordinary Election Day as specified in the Local Government Act 1995.



Council Committees, Working Groups and Project Teams

9 - Integrated Movement and Transport Working Group Terms of Reference

TERMS OF REFERENCE — Integrated Movement and Transport Working Group

1. NAME

- 1.1 The name of the Working Group shall be the Integrated Movement and Transport Working Group.

2. AIMS AND OBJECTIVES

The strategic focus for the Integrated Movement and Transport Working Group is aligned to the Town's Strategic Community Plan 2013 – 2028.

The purpose of the Integrated Movement and Transport Working Group is to contribute to the vibrant lifestyle of the Town by:

- 2.1 Considering requirements of stakeholders and undertaking detailed studies on strategic issues related to Movement Network in order to complement critical information and knowledge base required by the Town's Administration
- 2.2 Assessing movement network issues and proposals and providing justifications based on network wide information and recommending strategic directions to the Town's Administration to facilitate delivery of Strategic Movement Network projects.
- 2.3 Providing strategic advice to the Council on Movement Network related issues.
- 2.4 Drafting of Council Reports to include the relevant recommendations endorsed by the Working Group.

3. MEMBERSHIP

The Integrated Movement and Transport Working Group will comprise a maximum of 8 members consisting of the following:

- 3.1 Elected Members.
 - 3.1.1 A maximum of three (3) Elected Members with one Elected Member nominated as Presiding Member.
- 3.2 Community Members shall comprise five (5) inclusive of experts.
 - 3.2.1 At least one community member from each of the 2 wards of the district (to be selected by the Council from nominations received). Criteria for the selection will be based on the individual's interest, experience and/or qualifications in issues pertaining to Integrated Movement Network.
 - 3.2.2 Community Member places will be advertised and interested residents/ratepayers will be requested to submit an expression of interest addressing specific criteria outlined in the Expression of Interest Form.
 - 3.2.3 Information on the Integrated Movement and Transport Working Group and the call for Expressions of Interest will also be sent to previous members and ratepayers groups in each ward.

3.2.4 Final selection for serving on the Integrated Movement and Transport Working Group will be determined by Council.

3.3 Experts.

3.3.1 Places will be available for suitably qualified professionals who can provide expert advice/information as necessary. These include experienced traffic Police Officers, the Town's major residential property owners, major business operators, professional officers working in the government's transport, road safety, housing and other transport related agencies.

3.3.2 Expert Advisor places will be advertised and interested professionals will be requested to submit an expression of interest addressing specific criteria outlined in the Expression of Interest Form.

3.3.3 Information on the Integrated Movement and Transport Working Group and the call for expressions of interest will also be sent to relevant professional networks.

3.3.4 Preference will be given to those expressions of interest where the nominee resides, works or owns property in the Town of Victoria Park or has a direct interest in the district.

3.3.5 Final selection for serving on the Integrated Movement and Transport Working Group will be determined by Council.

3.3.6 The Integrated Movement and Transport Working Group has the authority to second individuals from outside of the Working Group on a voluntary basis for their expert advice where required.

3.4 Term of Membership.

The term of membership will be for two years commencing on 1 December and concluding in October in line with the ordinary Council election cycle.

3.5 Town of Victoria Park Officers.

3.5.1 The Director Renew Life or representative will attend meetings of the Integrated Movement and Transport Working Group to present matters of Integrated Network Movement with other officers to be invited as required depending on issues on the agenda and Town's officers will provide technical advice and support where required and are not members of the Integrated Movement and Transport Working Group.

4. MEETINGS

4.1 The Integrated Movement and Transport Working Group shall convene no more than four meetings each year.

4.2 A quorum for any meeting of the Integrated Movement and Transport Working Group shall be no less than three members one of whom shall be an Elected Member of the Town of Victoria Park.

4.2.1 All members of the Integrated Movement and Transport Working Group shall have one vote. The Presiding Member shall also have the right to a casting vote; simple majority will prevail.

4.2.2 The Presiding Member will preside at all meetings and is responsible for the proper conduct of the meetings. In his/her absence the role of Presiding

Member will be assumed by any of the other two Elected Members nominated to the Integrated Movement and Transport Working Group by the Council.

5. AGENDAS

- 5.1 The Administration will determine the Agenda for each meeting in accordance with the Annual Work Plan for the Integrated Movement Network Working Group endorsed by the Council.
- 5.2 All meetings shall be confined to the items listed on the Annual Work Plan unless the Council determines that additional matters be referred to the Working Group.
- 5.3 The meetings of the Integrated Movement and Transport Working Group cannot call for reports outside of the Work Plan or Terms of Reference.
- 5.5 Work Plans will be developed annually by Town's officers and endorsed by the Council taking account of the Town's Strategic Community Plan 2013 – 2028, strategic planning objectives, annual priorities or any other of the Town's plans or initiatives.

6. ACTION NOTES

- 6.1 The Town's staff will maintain Action Notes of the items discussed at each meeting and the outcomes from the Integrated Movement and Transport Working Group discussions. The notes may be used as the basis for further action by the Town on an item. (Verbatim minutes of discussion will not be taken).
- 6.2 Matters requiring action by Council shall be moved and seconded as recommendations to Council and shall be the subject of specific reports by staff to Council.

7. INSURANCES

- 7.1 The Town shall arrange all insurances affecting the Integrated Movement and Transport Working Group in discharging the normal course of its duties and for any associated public liability.

8. MANAGEMENT

- 8.1 The Integrated Movement and Transport Working Group has no delegated powers or authority to:
 - 8.1.1 Represent the Town of Victoria Park.
 - 8.1.2 Implement the Integrated Movement and Transport Working Group recommendations without approval of the Council.
 - 8.1.3 Commit Council to the expenditure of funds.
- 8.2 Integrated Movement and Transport Working Group action notes and recommendations will be submitted to the Council for approval with officer comment.
- 8.3 Integrated Movement and Transport Working Group Members must comply with the Town's Code of Conduct.

9. TENURE OF APPOINTMENT

- 9.1 If a member fails to attend three consecutive meetings of the Integrated Movement and Transport Working Group without lodging an apology his/her appointment shall be automatically terminated unless leave of absence has been granted.
- 9.2 The appointment for all members will expire every two (2) years on the ordinary Election Day as specified in the *Local Government Act 1995*.



Council Committees, Working Groups and Project Teams

10 - Lathlain Park Redevelopment – Project Team

Terms of Reference

TERMS OF REFERENCE — Lathlain Park Redevelopment Project Team

1. PROJECT DEFINITIONS

- 1.1** Project Team Membership comprises Elected Members and staff with professional expertise in a particular project;
- 1.2** The project has a time limit;
- 1.3** The Project Team has a time limit;
- 1.4** The project has a planning phase, an implementation phase and an end; and
- 1.5** The Lathlain Park Redevelopment Precinct is bounded by McCartney Crescent, Roberts Road, Bishopsgate Street and Goddard Street.
- 1.6** The Lathlain Park Redevelopment Precinct comprises two discrete, yet strongly inter-related zones, being:
 - a).** The Perth Football Club zone; and
 - b).** The Community Activity zone.

2. NAME

The name of the Project Team shall be the Lathlain Park Redevelopment Project Team.

3. AIMS AND OBJECTIVES

The strategic focus for the Lathlain Park Redevelopment Project Team is aligned to the Plan for the Future. The purpose of the Lathlain Park Redevelopment Project Team is to contribute to the vibrant lifestyle of the Town by:

- 3.1** Providing advice to Council on progress of the Lathlain Park Redevelopment;
- 3.2** Providing advice to Council on upcoming milestones for the Lathlain Park Redevelopment;
- 3.3** Assisting Council in developing the Lathlain Park Redevelopment Concept Plan and Business Case; and
- 3.4** Assisting Council with project related stakeholder communications.

4. MEMBERSHIP

The Lathlain Park Redevelopment Project Team will comprise a maximum of eight (8) members consisting of the following:

4.1 Elected Members.

4.1.1 A maximum of four (4) Elected Members with one (1) Elected Member nominated as Presiding Member.

4.2 Staff Members shall comprise four (4).

4.2.1 The Chief Executive Officer shall nominate and approve Staff Membership.

4.3 The term of membership will be for one year, commencing from 12 December, 2012.

4.4 Town of Victoria Park Officers.

4.4.1 In addition to the four (4) Project Team Staff Members, additional officers of the Town may attend meetings to provide technical advice and support, where required.

5. MEETINGS

5.1 The Lathlain Park Redevelopment Project Team shall convene on an as-needs basis, but no more frequently than fortnightly.

5.2 A quorum for any meeting of the Lathlain Park Redevelopment Project Team shall be no less than five (5) members, one (1) of whom shall be an Elected Member of the Town of Victoria Park.

5.2.1 Recommendations for action of the Project Team will be determined by Member consensus. There shall be no voting on agenda items.

5.2.2 The Presiding Member will preside at all meetings and is responsible for the proper conduct of the meetings. In his/her absence the role of Presiding Member will be assumed by any of the other three Elected Members nominated to the Project Team by the Council.

6. AGENDAS

- 6.1** The Town will determine the Agenda for each meeting in accordance with the project requirements.
- 6.2** All meetings shall be confined to the items listed on the Agenda, unless the Council determines that additional matters be referred to the Project Team.
- 6.3** There will be no General Business – additional items are to be submitted for the Town’s further consideration for (a) action administratively, or (b) for consideration by the Town/Council in development of the next financial period’s Work Plan.
- 6.4** The meetings of the Lathlain Park Redevelopment Project Team cannot call for reports outside of the Terms of Reference.

7. NOTES

- 7.1** The Town’s staff will maintain Action Notes of the items discussed at each meeting and the outcomes from the Lathlain Park Redevelopment Project Team discussions. The notes may be used as the basis for further action by the Town on an item.
- 7.2** Matters requiring action by Council shall be the subject of specific reports by staff to Council.

8. INSURANCES

- 8.1** The Town shall arrange all insurances affecting the Project Team in discharging the normal course of its duties and for any associated public liability.

9. MANAGEMENT

- 9.1** The Lathlain Park Redevelopment Project Team has no delegated powers or authority to:
 - 9.1.1** Represent the Town of Victoria Park.
 - 9.1.2** Implement recommendations without approval of the Council.
 - 9.1.3** Commit Council to the expenditure of funds.

- 9.2** Project Team action notes and recommendations will be submitted to the Council for approval with officer comment.
- 9.3** Project Team Members must comply with the Town's Code of Conduct.

10. TENURE OF APPOINTMENT

- 10.1** If a member fails to attend three consecutive meetings of the Project Team without lodging an apology his/her appointment shall be automatically terminated unless leave of absence has been granted.



Council Committees, Working Groups and Project Teams

10 – Rates Review Project Team

Terms of Reference

Rates Review Project Team

Terms of Reference

Legal Framework:

Nil.

Purpose of the Project Team:

To maximize the revenue generated to the Town of Victoria Park from rates in an equitable manner by analysing alternative rating methodologies.

Powers of the Project Team

Nil.

Role of the Project Team:

The responsibilities of the Project Team will be –

- a) Review alternative rating strategies that may be presented as part of the lead in to the budget process.
- b) Develop and recommend to Council an appropriate rating process for the budget.
- c) Monitor any other related issues to the rate base.

Membership:

Members

- Three (3) Elected Members.

Deputies

- One (1) Elected Member.

Quorum

- Two (2) Elected Members being at least 50% of Members.

Meetings

The Project Team shall meet at least two times per year. Additional meetings shall be convened at the discretion of the presiding person.



Council Committees, Working Groups and Project Teams

1 - Audit Committee Terms of Reference

Audit Committee

Terms of Reference

Legal Framework:

Pursuant to Section 7.1A of the *Local Government Act 1995*, it is a requirement of a local government to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it. The members of the audit committee of a local government are to be appointed by the local government and at least 3 of the members, and the majority of the members, are to be council members.

A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent him or her as a member of an audit committee.

An employee is not to be a member of an audit committee

These requirements are supplemented with additional detail in the *Local Government (Audit) Regulations 1996* which has a requirement in Regulation 16 Audit committee where the functions of the audit committee are detailed as follows:

- (a) is to provide guidance and assistance to the local government —
 - (i) as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act; and
 - (ii) as to the development of a process to be used to select and appoint a person to be an auditor;And
- (b) may provide guidance and assistance to the local government as to —
 - (i) matters to be audited; and
 - (ii) the scope of audits; and
 - (iii) its functions under Part 6 of the Act; and
 - (iv) the carrying out of its functions relating to other audits and other matters related to financial management; and
- (c) is to review a report given to it by the CEO under regulation 17(3) (the CEO's report) and is to —
 - (i) report to the council the results of that review; and
 - (ii) give a copy of the CEO's report to the council.

Purpose of the Committee:

The primary objective of the Audit Committee is to accept responsibility for the annual external audit and liaise with the local government's auditor so that Council can be satisfied with the performance of the local government in managing its financial affairs. Reports from the committee will assist Council in discharging its legislative responsibilities of controlling the local government's affairs, determining

the local government's policies and overseeing the allocation of the local government's finances and resources. The committee will ensure openness in the local government's financial reporting and will liaise with the CEO to ensure the effective and efficient management of local government's financial accounting systems and compliance with legislation.

The committee is to facilitate:

- the enhancement of the credibility and objectivity of external financial reporting;
- compliance with laws and regulations as well as use of best practice guidelines relative to auditing;
- the provision of an effective means of communication between the external auditor, the CEO and the Council.

Powers of the Audit Committee

The committee is a formally appointed committee of Council and is responsible to that body. The committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility and does not have any delegated financial responsibility. The committee does not have any management functions and cannot involve itself in management processes or procedures.

The committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its term of reference in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the CEO.

Role of the Committee:

The duties and responsibilities of the committee will be –

- a) Provide guidance and assistance to Council as to the carrying out the functions of the local government in relation to audits.
- b) Develop and recommend to Council an appropriate process for the selection and appointment of a person as the local government's auditor.
- c) Develop and recommend to Council –
 - a list of those matters to be audited; and
 - the scope of the audit to be undertaken.
- d) Recommend to Council the person or persons to be appointed as auditor.
- e) Develop and recommend to Council a written agreement for the appointment of the auditor. The agreement is to include–
 - the objectives of the audit;
 - the scope of the audit;

- a plan of the audit;
 - details of the remuneration and expenses to be paid to the auditor; and
 - the method to be used by the local government to communicate with, and supply information to, the auditor.
- f) Meet with the auditor at least twice per year and/or as required and provide a report to Council on the matters discussed and outcome of those discussions.
- g) Liaise with the CEO to ensure that the local government does everything in its power to –
- assist the auditor to conduct the audit and carry out his or her other duties under the Local Government Act 1995; and
 - ensure that audits are conducted successfully and expeditiously.
- h) Examine the reports of the auditor after receiving a report from the CEO on the matters and –
- determine if any matters raised require action to be taken by the local government; and
 - ensure that appropriate action is taken in respect of those matters.
- i) Review the report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and presenting the report to Council for adoption prior to the end of the next financial year or 6 months after the last report prepared by the auditor is received, whichever is the latest in time.
- j) Review the scope of the audit plan and program and its effectiveness.
- k) Review the local government’s draft annual financial report, focusing on:
- accounting policies and practices;
 - changes to accounting policies and practices;
 - the process used in making significant accounting estimates;
 - significant adjustments to the financial report (if any) arising from the audit process; and
 - compliance with accounting standards and other reporting requirements
- l) Consider and recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation but before the annual financial report is signed.
- m) Address issues brought to the attention of the committee, including responding to requests from Council for advice that are within the parameters of the committee's terms of reference.
- n) Seek information or obtain expert advice through the CEO on matters of concern within the scope of the committee’s terms of reference following authorisation from the Council.
- o) to provide guidance to the Council on any matters covered in Regulation 16 of the *Local Government (Audit) Regulations 1996*.

Membership:**Members**

- Three (3) Elected Members.

Deputies

- One (1) Elected Member.

Quorum

- Two (2) Elected Members being at least 50% of Members.

Meetings

The committee shall meet at least two times per year. Additional meetings shall be convened at the discretion of the presiding person.



Council Committees, Working Groups and Project Teams

2 – Chief Executive Officer Performance Review Committee Terms of Reference

Chief Executive Officer Performance Review Committee

Terms of Reference

Purpose of the Committee:

Pursuant to Section 5.38 of the *Local Government Act 1995*, it is a requirement to review the Chief Executive Officer's performance on an annual basis and to set performance indicators and objectives for the next 12 months. The review process also provides an opportunity to provide and receive feedback on the performance of the CEO.

Role of the Committee:

- Review the Chief Executive Officer's performance in accordance with the appropriate provisions contained within the Chief Executive Officer's Employment Contract;
- Prepare and table the concluded report, in accordance with the appropriate provisions within the Chief Executive Officer's Employment Contract to the Council at a Council meeting for consideration and actioning;
- Review the Chief Executive Officer's performance on an on-going basis as and when deemed necessary in accordance with the appropriate provisions contained within the Chief Executive Officer's Employment contract;
- Review the Key Performance Indicators to be met by the Chief Executive Officer;
- Review the Chief Executive Officer's remuneration package, in accordance with the appropriate provisions within the Chief Executive Officer's Employment Contract; and
- Review the Chief Executive Officer's Employment Contract and make recommendations to Council in relation to varying the contract as and when necessary.

Membership:

Members

- Three (3) Elected Members.

Deputies

- One (1) Elected Member.

Quorum

- Two (2) Elected Members being at least 50% of Members.



Council Committees, Working Groups and Project Teams

3 - Design Review Committee Terms of Reference

DESIGN REVIEW COMMITTEE – TERMS OF REFERENCE

To provide advice to Council on applications in respect to structure plan proposals, major development applications where the value of the development exceeds \$5m and include all developments involving buildings in excess of 3 storeys. To provide advice to Council in respect to provisions of the Town Planning Scheme and advice on appropriate review and amendment of the Scheme provisions.

The Committee to meet with applicants, land owners and other relevant Council staff and Council appointed consultants as part of their role in advising Council

The decision to refer any other applications or matters to the Design Review Group will be at the discretion of the Executive Manager Built Life, the Director Future Life and Built Life Programs and/or the Council.



Council Committees, Working Groups and Project Teams

4 – Parking Management Committee

Terms of Reference

Parking Management Committee

TERMS OF REFERENCE

1. Function of the Committee:

The function of the Parking Management Committee is to:

- a. Develop recommendations for Council relating to parking management changes in identified parking hotspots across the Town,
- b. Guide the Project Team in undertaking its administrative duties relating to the development of recommendations to Council.

In undertaking its functions the Committee will consider:

- a. The Plan for the Future,
- b. The goals of the Integrated Movement Network Strategy.
- c. The advice of administrative staff on the Project Team,
- d. The different parking implications in commercial and residential areas,
- e. Results of previous consultation,
- f. Result of the 2009 Hotspots report,
- g. The different parking environments in individual areas,
- h. Other parking stations,
- i. Contemporary literature relating to parking management,
- j. The use of a full range of available parking management tools including but not limited to:
 - i. time restrictions,
 - ii. paid parking,
 - iii. parking permits,
 - iv. vehicle monitoring technologies,
 - v. parking guidance systems, and
 - vi. parking restriction legibility and layout.

2. Outcomes of the Committee

The Committee will be responsible for making recommendations to Council relating to:

- a. A Parking Management Plan, and
- b. The approval and acceptance of tender documents relating to parking management solutions (including details on which parking management strategies will be used on individual streets).

In delivering these outcomes the Committee will, with the support of the Project Team:

- a. Develop a parking management framework for the Town's public parking resources,
- b. Finalise and adopt a Parking Management Project Plan for use by the Project Team,
- c. Prioritise implementation areas,
- d. Develop communication strategies relating to the Project,
- e. Prepare parking management solutions in different areas,
- f. Developing goals and measures to test the success of any changes implemented,
- g. Determine a review mechanism for and conduct a review of parking management after 6 months,
- h. Review enforcement resources in line with proposed parking changes.

3. Role of Committee Members:

The role of the Committee members of the Parking Management Committee includes:

- understand the strategic implications and outcomes of initiatives being pursued through parking management changes,
- appreciate the significance of parking management for stakeholders,
- be genuinely interested in the initiative and the outcomes being pursued in relation to parking management,

- be an advocate for any adopted parking management changes,
 - have a broad understanding of project management issues and the approach being adopted, and
- be committed to, and actively involved in pursuing the Committee's outcomes

14.4 PARKING LOCAL LAW REVIEW 2013 APPENDIX- 1

LOCAL GOVERNMENT ACT 1995
Town of Victoria Park
Parking and Parking Facilities Amendment (General) Local Law 2013

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10. Clause 2.8 Amended
11. Clause 2.11 Amended
12. Clause 3.2 Amended
13. Clause 3.3 Amended
14. Clause 3.7 Inserted
15. Clause 3.8 Amended
16. Clause 4.1 Amended
17. Clause 4.8 Deleted
18. Clause 6.1 Amended
19. Clause 7.10 Amended
20. Clause 7.12 Amended
21. Part 8 Amended
22. Clause 9.5 Amended
23. Clause 9.6 Amended
24. Clause 9.8 Inserted
25. Schedule 2 Amended
26. Schedule 4 Amended
27. Schedule 5 Inserted

LOCAL GOVERNMENT ACT 1995
Town of Victoria Park
Parking and Parking Facilities Amendment (General) Local Law 2013

Under the powers conferred by the *Local Government Act 1995* and by all other powers enabling it, the Council of the Town of Victoria Park resolved on 9 July 2013 to make the following local law.

1. Citation

This local law may be cited as the *Town of Victoria Park Parking and Parking Facilities Amendment (General) Local Law 2013*.

2. Commencement

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

3. Repeal

The Town of Victoria Park Parking and Facilities Amendment Local Law 2013 as published in the *Government Gazette* on 5 April 2013 is repealed.

4. Principal local law

In this local law the *Town of Victoria Park Parking and Parking Facilities Local Law 2008* as published in the *Government Gazette* on 14 January 2009 and as amended and published in the *Government Gazette* on 1 December 2009 is referred to as the Principal Local Law. The Principal Local Law is amended as follows.

5. Clause 1.3 Amended

Clause 1.3 is amended as follows:

(a) Insert the following definitions in alphabetical order—

‘car carrier’ means a vehicle together or separately from any attached trailer that is designed for the transportation of cars or of other vehicles but excludes tow trucks;

‘heavy or long vehicle’ means a vehicle or any combination of vehicles, that, together with any projection on, or load carried by, the vehicle or combination of vehicles, is 7.5 metres or more in length or exceeds a GVM of 4.5 tonnes;

‘parking system’ includes a parking meter, ticket issuing machine, and any other similar device, mechanism, or system, for which currency is inserted or provided and which measures, records, or displays the period of time during which a vehicle is, or is permitted to be, parked in a particular area;

‘Parking Permit’ means a permit issued by the Town pursuant to clause 8.1 of this local law; and

‘tow truck’ means a motor vehicle equipped with a crane on winch used or intended to be used for the lifting, salvaging, carrying or towing of vehicles and includes any motor

vehicle to which is attached (temporarily or otherwise) a device or trailer which is used or intended to be used for the lifting, salvaging and carrying of any motor vehicle.

(b) Delete the definition for **‘metered zone’** and replace with the following:

‘metered zone’ means any parking facility, parking area, thoroughfare or reserve, or any part of a parking facility, parking area, thoroughfare or reserve in which parking meters regulate the parking of vehicles.

(c) Delete the definition for **‘parking meter’** and replace with the following:

“parking meter” means a machine either manually or electronically operated by the insertion of currency to measure and display the initial period of time purchased and decreasing time available until expired, for a vehicle to occupy the parking bay, or one of the parking bays, to which the meter relates and includes the stand on which the meter is erected.

(d) Amend the definition for **‘metered space’** by deleting ‘parking meter’ and inserting ‘parking system’.

(e) Amend the definition for **‘metered zone’** by deleting ‘parking meter’ and inserting ‘parking system’.

(f) Amend the definition for **‘ticket issuing machine’** by deleting ‘parking meter’ and inserting ‘machine’.

6. Clause 1.6 Amended

Delete Clause 1.6 and substitute with the following—

1.6 Classes of vehicles

For the purpose of this Local Law, vehicles are divided into classes as follows—

- (a) buses;
- (b) commercial vehicles;
- (c) motorcycles;
- (d) bicycles;
- (e) taxis;
- (f) heavy or long vehicles;
- (g) car carriers;
- (h) tow trucks;
- (i) special purpose vehicles; and
- (j) all other vehicles.

7. Clause 2.2 Amended

Delete Clause 2.2 and substitute with the following—

2.2 Parking fee to be paid

(1) Subject to clause 2.5, a person shall not park, or permit to remain parked, a vehicle in a metered space unless any fee applicable to the metered space, as indicated on a sign or parking system referable to the metered space or as otherwise displayed, determined or required by the local government, has been paid.

(2) A person who parks a vehicle in contravention of subclause (1) above does not commit an offence against subclause (1) if the person, after parking the

vehicle, immediately pays the parking fee in accordance with subclause (1).

(3) If—

(a) a person commits an offence against subclause (1) in a metered space;
and

(b) an infringement notice for the offence is placed on or attached to the
vehicle; and

(c) the vehicle in relation to which the offence is committed remains
parked in the space after the notice is affixed,

the person commits a separate and further offence under subclause (1) for each
further time equal to the maximum time indicated on the sign installed in relation
to that space that the vehicle remains parked in the space during a period in
respect of which a parking fee is required to be paid.

8. Clause 2.3 Amended

Delete Clause 2.3 and substitute with the following—

2.3 Limitation on parking in a metered space

Notwithstanding clause 2.2, a person shall not park a vehicle in a metered space
during any period when parking in that space is prohibited by a sign or in
accordance with this Local Law.

9. Clause 2.4 Amended

In clause 2.4 delete the words “parking meter” and replace with “parking system”.

10. Clause 2.8 Amended

Delete Clause 2.8 and substitute with the following—

2.8 Parking ticket to be displayed

(1) A person shall not stop or park a vehicle in a metered zone which is regulated
by a ticket issuing machine during any permitted period unless an unexpired
ticket is displayed inside the vehicle such that the date, expiry time and the
number (if any) printed on the ticket are clearly visible to and able to be read by
an Authorised Person from outside the vehicle at all times while that vehicle
remains stopped or parked in that zone.

(2) In this clause “permitted period” means the period stated on a ticket issuing
machine or sign referable to the area in which the vehicle was parked during
which the parking of a vehicle in that area is permitted only upon the purchase of
a parking ticket.

11. Clause 2.11 Inserted

After Clause 2.10, insert the following—

2.11 No movement of vehicles to avoid time limitations in metered zones

Where the parking of vehicles in a metered zone is permitted for a limited time, a
person shall not move a vehicle within the metered zone so that the total time of
parking exceeds the maximum permitted unless the vehicle has first been
removed from that thoroughfare for at least 2 hours since the vehicle was last
parked in that thoroughfare.

12. Clause 3.2 Amended

Delete Clause 3.2 and substitute with the following—

3.2 Vehicles to be within parking stall

(1) Subject to subclause (2), (3) and (4), a person shall not park a vehicle in a parking stall in a thoroughfare or parking station otherwise than—

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

(2) Subject to subclause (3) where a parking stall in a thoroughfare or parking station is set out otherwise than parallel to the kerb, then a person must park a vehicle in that stall wholly within it.

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

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

13. Clause 3.3 Amended

Delete Clause 3.3 and substitute with the following—

3.3 Payment of fee to park in a parking station

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

- (a) in the case of a parking station having an Authorised Person on duty, the appropriate fee is paid when demanded; or
- (b) in the case of a parking station regulated by a parking system, any fee applicable to the part of the parking station on which the vehicle is parked, as indicated on a sign or parking system referable to the metered space or as otherwise displayed, determined or required by the local government, has been paid.

(2) A person who parks a vehicle in contravention of subclause (1)(b) above does not commit an offence against subclause (1)(b) if the person, after parking the vehicle, immediately pays the parking fee in accordance with subclause (1)(b).

(3) If—

- (a) a person commits an offence against subclause (1)(b); and
- (b) an infringement notice for the offence is placed on or attached to the vehicle; and
- (c) the vehicle in relation to which the offence is committed remains parked in that part of the parking station after the notice is affixed,

the person commits a separate and further offence under subclause (1) for each further time equal to the maximum time indicated on the sign installed in relation to the part of the parking station on which the vehicle is parked that the vehicle remains parked on that part during a period in respect of which a parking fee is required to be paid.

14. Clause 3.7 Amended

Delete Clause 3.7 and substitute with the following—

3.7 Parking ticket to be displayed

(1) A person shall not stop or park a vehicle in a parking station which is regulated by a ticket issuing machine during any permitted period unless an unexpired ticket is displayed inside the vehicle such that the date, expiry time

and the number (if any) printed on the ticket are clearly visible to and able to be read by an Authorised Person from outside the vehicle at all times while that vehicle remains stopped or parked in that parking station.

(2) In this clause “permitted period” means the period stated on the ticket issuing machine or sign referable to the area in which the vehicle was parked during which the parking of a vehicle in that area is permitted only upon the purchase of a parking ticket.

15. Clause 3.8 Amended

In clause 3.8 after subclause (3) insert the following—

(4) Where the parking of vehicles in a parking station is permitted for a limited time, a person shall not park a vehicle so that the total time of parking exceeds the maximum permitted unless the vehicle has first been removed from that parking station for at least 2 hours since the vehicle was last parked in that parking station.

16. Clause 4.1 Amended

In clause 4.1 after subclause (5) insert the following—

(6) Where the parking of vehicles in a thoroughfare is permitted for a limited time, a person shall not park a vehicle so that the total time of parking exceeds the maximum permitted unless the vehicle has first been removed from that thoroughfare for at least 2 hours since the vehicle was last parked in that thoroughfare.

17. Clause 4.8 Deleted

Clause 4.8 is deleted and the remaining clauses 4.9 to 4.12 be renumbered accordingly.

18. Clause 6.1 Amended

Clause 6.1 is amended as follows—

- (a) In paragraph (c) delete “sign).” and insert “sign); or”; and
- (b) After paragraph (c) insert the following:
 - (d) unless the vehicle is a taxi and—
 - (i) the vehicle stopped for no longer than 2 minutes; and
 - (ii) the driver is with the vehicle at all times; and
 - (iii) the driver is picking up or dropping off a passenger.

19. Clause 7.10 Amended

In clause 7.10 after subclause (2) insert the following—

(3) Subclause (2) does not apply to the driver if he or she is the owner or occupier of the premises adjacent to that driveway, or is a person authorised by the occupier of those premises to stop the vehicle so that any portion of it is on the driveway unless otherwise prohibited by a written resolution of the strata company responsible for the common property of the lot adjacent to that driveway and so long as -

- (a) no part of the vehicle is parked over the adjacent carriageway or any adjacent footpath; and
- (b) no other parking restriction applies to that driveway.

20. Clause 7.12 Amended

In clause 7.12 delete the words “vehicle or any combination of vehicles, that, together with any projection on, or load carried by, the vehicle or combination of vehicles, is 7.5 metres or more in length or exceeds a GVM of 4.5 tonnes” and replace with “heavy or long vehicle”.

21. Part 8 Amended

Delete Part 8 and substitute with the following—

PART 8—PARKING PERMITS

8.1 Parking Permits

- (1) A person may apply for a Parking Permit to park a vehicle on a thoroughfare.
- (2) An application for a permit shall be made in the form determined by the local government.
- (3) The local government may in respect of an application for a permit for the purpose of subclause (1)—
 - (a) approve it;
 - (b) approve it subject to such conditions as the local government considers appropriate; or
 - (c) refuse to approve it.
- (4) Where the local government makes a decision under subclauses (3)(a) or (b), it shall issue a permit in the form determined by it to the person who applied for the permit.
- (5) A Parking Permit issued for the purpose of subclause (1) is valid for the dates, days and or times as set out in the conditions of the approval of the permit, and is valid until the expiry date and or time set out in the conditions of the permit.

8.2 Conditions of exemption for Parking Permits

Where stopping or parking of a vehicle on any part of a thoroughfare within the district is prohibited by a sign, the holder of a permit issued under clause 8.1 is exempted from such prohibitions if—

- (a) the vehicle is parked in an area specified in the permit;
- (b) the permit is affixed to the vehicle in the manner specified in the conditions of the permit;
- (c) the period in respect of which the permit was issued has not expired;
- (d) the permit is being used only in accordance with any conditions under which the permit was issued;
- (e) the permit is being used in a vehicle in which the permit is authorised to be used in accordance with the conditions of the permit; and
- (f) the total time which the vehicle is parked does not exceed 24 hours.

8.3 Work zone parking

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

“builder” means a person employed to construct any building or to demolish, alter or execute any work on a building already constructed, and includes the owner or occupier of the land upon which any such building is intended to be constructed, or other person for whom, or by whose order or under whose direction and control such alteration or work was done or is intended to be done, as the case may be;

“construction site” means any land subject to development;

“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; and

“work zone” means any thoroughfare or part of a thoroughfare whether or not marked as a metered space or parking stall, set aside by the local government by the use of a sign, for a period specified on the sign, for the parking of commercial vehicles.

(2) An eligible person seeking to establish a work zone adjacent to a construction site may make written application to the local government which may approve or refuse the application.

(3) Where the local government approves an application made under subclause (2), it shall give the applicant written notice specifying—

- (a) the portion of thoroughfare approved for use as a work zone;
- (b) the term of the approval and the times during which the parking of commercial vehicles in the work zone is permitted;
- (c) any conditions applicable to the approval;
- (d) the amount of any establishment fee as determined by the local government from time to time.

(4) Where the establishment fee specified in a notice referred to in subclause (3) is paid to the local government within fourteen days from the date of issue of the notice, the local government shall set aside a work zone in accordance with the notice.

(5) An eligible person shall, in addition to the establishment fee, pay to the local government a daily fee as determined by the local government from time to time for each day that a work zone is set aside.

(6) A person shall not park a vehicle in a work zone unless—

- (a) the vehicle is a commercial vehicle;
- (b) the vehicle is parked during a time in which the parking of a commercial 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 commercial vehicle; and
 - (ii) to or from the construction site.

22. Clause 9.5 Amended

Delete clause 9.5 and substitute with the following:

9.15 Special purpose and emergency vehicles

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

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

(2) For the purposes of this local law, a special purpose vehicle includes a vehicle in use by an Authorised Person.

23. Clause 9.6 Amended

In clause 9.6, delete the words “so that it obstructs the use of any part of that public place”.

24. Clause 9.8 Inserted

After clause 9.7, insert the following—

9.8 No parking Car Carriers and Heavy and Long Vehicles

A person shall not park a heavy or long vehicle, or a car carrier in any area specified in Schedule 5 except where—

- (a) the driver of that vehicle has received prior written permission from an Authorised Person; or
- (b) that vehicle is parked wholly within a designated Loading Zone, and in any case only in accordance with the provisions of this Local Law.

25. Schedule 2 Amended

Delete Schedule 2 and substitute with the following—

Schedule 2

PARKING AND PARKING FACILITIES LOCAL LAW 2008 PRESCRIBED OFFENCES

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
1	2.2	Failure to pay fee for metered space	60
2	2.3	Parking in excess of period shown on metered space	60
3	2.4	Parking when meter has expired	60
4	2.6(1)	Failure to park wholly within metered space	60
5	2.6(3)	Parking outside metered zone	60
6	2.7	Non-permitted insertion in parking meter	60
7	2.8(1)	Failure to display ticket clearly in metered zone	60
8	2.9	Parking or attempting to park a vehicle in a metered space occupied by another vehicle	60
9	2.10	Parking contrary to a meter hood	120
10	2.11	Move vehicle to avoid time limit in metered zone	60
11	3.2	Failure to park wholly within parking stall	60
12	3.2(4)	Failure to park wholly within parking area	60
13	3.3	Failure to pay parking station fee	60
14	3.5	Leaving without paying parking station fee	60
15	3.7(1)	Failure to display ticket clearly in parking station	60

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
16	3.8(1)(a)	Causing obstruction in parking station	90
17	3.8(1)(c)	Parking contrary to sign in parking station	60
18	3.8(1)(d)	Parking contrary to directions of Authorised Person	120
19	3.8(1)(e)	Parking or attempting to park a vehicle in a parking stall occupied by another vehicle	60
20	3.8(4) or 4.1(3)(b) or 4.1(6)	Parking contrary to signs or limitations	60
21	4.1(1)(a)	Parking wrong class of vehicle	60
22	4.1(1)(b)	Parking by persons of a different class	60
23	4.1(1)(c)	Parking during prohibited period	120
24	4.1(3)(a)	Parking in no parking area	120
25	4.1(3)(c)	Parking vehicle in motor cycle only area	60
26	4.1(4)	Parking motor cycle in stall not marked 'M/C'	60
27	4.1(5)	Parking without permission in an area designated for 'Authorised Vehicles Only'	120
28	4.2(1)(a) or 4.2(1)(b)	Parking against the flow of traffic	60
29	4.2(1)(c)	Parking when distance from farther boundary less than 3 metres	120
30	4.2(1)(d)	Parking closer than 1 metre from another vehicle	60
31	4.2(1)(e)	Causing obstruction	120
32	4.3	Failure to park at approximate right angle	60
33	4.4(2)	Failure to park at an appropriate angle	60
34	4.5(2)(a) and 7.2	Double parking	120
35	4.5(2)(b)	Parking on or adjacent to a median strip	60
36	4.5(2)(c)	Denying access to private drive or right of way	120

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
37	4.5(2)(d)	Parking beside excavation or obstruction so as to obstruct traffic	60
38	4.5(2)(e)	Parking within 10 metres of traffic island	60
39	4.5(2)(f)	Parking on footpath/pedestrian crossing	120
40	4.5(2)(g)	Parking contrary to continuous line markings	60
41	4.5(2)(h)	Parking on intersection	120
42	4.5(2)(i)	Parking within 1 metre of fire hydrant or fire plug	60
43	4.5(2)(j)	Parking within 3 metres of public letter box	60
44	4.5(2)(k)	Parking within 10 metres of intersection	60
45	4.5(3)(a) or (b)	Parking vehicle within 10 metres of departure side of bus stop, children's crossing or pedestrian crossing	60
46	4.5(4)(a) or (b)	Parking vehicle within 20 metres of approach side of bus stop, children's crossing or pedestrian crossing	60
47	4.5(5)	Parking vehicle within 20 metres of approach side or departure side of railway level crossing	60
48	4.6	Parking contrary to direction of Authorised Person	120
49	4.7(2)	Removing mark of Authorised Person	120
50	4.8(a)	Parking in thoroughfare or parking facility for purpose of sale	60
51	4.8(b)	Parking unlicensed vehicle in thoroughfare	60
52	4.8(c)	Parking a trailer/caravan on a thoroughfare	60
53	4.8(d)	Parking in thoroughfare or parking facility for purpose of repairs	60
54	4.9(2)	Parking on land that is not a parking facility without consent	120
55	4.9(3)	Parking on land not in accordance with consent	60
56	4.10	Driving or parking on reserve	60
57	5.1(1)	Stopping contrary to a 'no stopping' sign	120
58	5.1(2)	Parking contrary to a 'no parking' sign	120

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
59	5.1(3)	Stopping within continuous yellow lines	120
60	6.1	Stopping unlawfully in a loading zone	60
61	6.2	Stopping unlawfully in a taxi zone or bus zone	120
62	6.3	Stopping unlawfully in a mail zone	60
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64	7.1	Stopping in a shared zone	60
65	7.3	Stopping near an obstruction	60
66	7.4	Stopping on a bridge or tunnel	60
67	7.5	Stopping on crests/curves etcetera	60
68	7.6	Stopping near fire hydrant	60
69	7.7	Stopping near bus stop	120
70	7.8	Stopping on path, median strip or traffic island	120
71	7.9	Stopping on verge	120
72	7.10	Obstructing path, a driveway etcetera	120
73	7.11	Stopping near letter box	60
74	7.12	Stopping heavy or long vehicles on carriageway or parking facility	90
75	7.13	Stopping in bicycle parking area	60
76	7.14	Stopping in motorcycle parking area	60
77	7.15	Stopping in a disability parking area	500
78	9.6	Leaving vehicle so as to obstruct a public place	120
79	9.8	Park car carrier or heavy or long vehicle in prohibited area.	60
80		All other offences not specified	60

26. Schedule 4 Amended

Delete Schedule 4 and substitute with the following-

Schedule 4
PARKING AND PARKING FACILITIES LOCAL LAW 2008
DEEMED PARKING STATIONS

- (1) Swan TAFE, Bentley Campus – Hayman Road, Bentley;
- (2) Canning College – Marquis Street, Bentley;
- (3) Centro Victoria Park Shopping Centre – 366 Albany Highway, Victoria Park;
- (4) Burswood Entertainment Complex and Burswood Park – Great Eastern Highway, Burswood;
- (5) Fraser Park Road - Lot 123 (88) Hampshire Street, East Victoria Park;
- (6) Right of Way off Burswood Road adjacent to G.O. Edwards Park - Lots 66 and 67 Burswood Road, Burswood;
- (7) Electrical Substation - Lot 301, 1 MacKay Street, Belmont;
- (8) Portion of Canning Location 3252 and being lots:
 - (a) Lot 101 on Plan 15736 and whole of land comprised in Certificate of Title Volume 1764 Folio 573 – 101 Jarrah Road, Bentley;
 - (b) Lot 6 on Plan 15403 and whole of land comprised in Certificate of Title Volume 1738 Folio 479 – 6 Brodie-Hall Drive, Bentley;
 - (c) Lot 112 on Plan 16869 and whole of land comprised in Certificate of Title Volume 1840 Folio 585 – Lot 112 Brodie-Hall Drive, Bentley;
 - (d) Lot 5 on Plan 15403 and whole of land comprised in Certificate of Title Volume 1738 Folio 478 – 5 Brodie Hall Drive, Bentley;
 - (e) Lots 1-4 on Strata Plan 28659 and whole of land comprised in Certificate of Title Volume 2129 Folio 162, 163, 164 & 165 – 9 De Laeter Way Bentley;
 - (f) Lot 25 on Plan 24975 and whole of land comprised in Certificate of Title Volume 2205 Folio 71 – 7A De Laeter Way, Bentley; and
 - (g) Lot 76 on Plan 34132 and whole of land comprised in Certificate of Title Volume 2529 Folio 98 – 2 Brodie Hall Drive, Bentley.

27. Schedule 5 Inserted

Insert Schedule 5 as follows-

Schedule 5
PARKING AND PARKING FACILITIES LOCAL LAW 2008
LARGE VEHICLE EXCLUSION ZONE

- (1) Albany Highway and side streets off Albany Highway to a distance of 250 metres.

Dated:

The Common Seal of the Town of Victoria Park
was affixed by authority of a resolution
of the Council in the presence of:

TREVOR VAUGHAN
Mayor

ATHANASIOS KYRON
Chief Executive Officer

14.4 PARKING LOCAL LAW REVIEW 2013 APPENDIX - 2

GOVERNMENT GAZETTE
Western Australia
Perth Wednesday 14 January 2009 Number 5 Special

LOCAL GOVERNMENT ACT 1995

TOWN OF VICTORIA PARK

PARKING AND PARKING FACILITIES LOCAL LAW 2008

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LOCAL GOVERNMENT ACT 1995

TOWN OF VICTORIA PARK

PARKING AND PARKING FACILITIES LOCAL LAW 2008

Under the powers conferred by the *Local Government Act 1995* and under all other powers, the Council of the Town of Victoria Park resolved to make the following Local Law on the 16th day of December, 2008.

PART 1—DEFINITIONS AND OPERATION

1.1 Commencement

This Local Law will come into operation on the fourteenth day after the day on which it is published in the *Government Gazette*.

1.2 Repeal

The Town of Victoria Park Parking and Parking Facilities Local Law published in the *Government Gazette* on 31 May 2000 is repealed.

1.3 Interpretation

In this Local Law unless the context otherwise requires—

‘**ACROD sticker**’ has the meaning given to it by the Code;

‘**Act**’ means the *Local Government Act 1995*;

‘**Authorised Person**’ means a person authorised by the local government under section 9.10 of the Act, to perform any of the functions of an Authorised Person under this Local Law;

‘**authorised vehicle**’ means a vehicle authorised by the local government, Chief Executive Officer, Authorised Person or by any written law to park on a thoroughfare or parking facility;

‘**bicycle**’ has the meaning given to it by the Code;

Note: The Code defines ‘bicycle’ to mean—

‘a vehicle with 2 or more wheels that is built to be propelled by human power through a belt, chain or gears (whether or not it has an auxiliary motor)—

(a) including a pedicab, penny-farthing and tricycle; but

(b) not including a wheelchair, wheeled recreational device, wheeled toy, scooter or a power-assisted pedal cycle (if the motor is operating)’;

‘**bicycle path**’ has the meaning given to it by the Code;

Note: The Code defines ‘bicycle path’ to mean—

‘a length of path beginning at a ‘bicycle path’ sign or a ‘bicycle path’ road marking and ending at the nearest of the following—

(a) an ‘end bicycle path’ sign, or an ‘end bicycle path’ road marking;

(b) a ‘separated footpath’ sign or a ‘separated footpath’ road marking;

(c) a carriageway;

(d) the end of the path’;

‘**bus**’ has the meaning given to it by the Code;

Note: The Code defines ‘bus’ to mean—

‘a motor vehicle, built mainly to carry people, that seats over 12 adults (including the driver)’;

‘**bus embayment**’ has the meaning given to it by the Code;

Note: The Code defines ‘bus embayment’ to mean—

‘an embayment at the side of a carriageway, designed so that a public bus can be driven into it, for the purpose of allowing passengers to alight or enter, without impeding the flow of traffic on that carriageway, but does not include a bus lane’;

‘**bus stop**’ has the meaning given to it by the Code;

Note: The Code defines ‘bus stop’ to mean—
‘a length of carriageway commencing 20m on the approach side of, and ending 10m on the departure side of, a post indicating that public busses stop at that ‘point’;

‘**bus zone**’ has the meaning given to it by the Code;

Note: The Code defines ‘bus zone’ to mean—
‘a length of carriageway to which a ‘bus zone’ sign applies’;

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

‘**carriageway**’ means a portion of thoroughfare that is improved, designed or ordinarily used for vehicular traffic and includes the shoulders, and areas, including embayments, at the side or centre of the carriageway, used for the stopping or parking of vehicles; and where a thoroughfare has two or more of those portions divided by a median strip, the expression means each of those portions, separately;

‘**centre**’ in relation to a carriageway, means a line or a series of lines, marks or other indications—

(a) for a two-way carriageway—placed so as to delineate vehicular traffic travelling in different directions; or

(b) in the absence of any such lines, marks or other indications—the middle of the main, travelled portion of the carriageway;

‘**children’s crossing**’ has the meaning given to it by the Code;

Note: The Code defines ‘Children’s Crossing’ to mean—
‘a portion of carriageway between 2 parallel broken or unbroken lines, each approximately 150 millimetres wide and not more than 5 metres apart marked across, or partly across the carriageway and near which a fluorescent red-orange flag or sign bearing the words ‘children crossing—stop’, are displayed and, where the lines are so marked partly across a carriageway, includes a portion of the carriageway between the prolongations of those lines’;

‘**CEO**’ means the Chief Executive Officer of the local government;

‘**Code**’ means the *Road Traffic Code 2000*;

‘**commercial vehicle**’ means a motor vehicle constructed for the conveyance of goods or merchandise, or for the conveyance of materials used in any trade, business, industry or work whatsoever, other than a motor vehicle for the conveyance of passengers, and includes any motor vehicle that is designed primarily for the carriage of persons, but which has been fitted or adapted for the conveyance of the goods, merchandise or materials referred to;

‘**district**’ means the district of the local government;

‘**driver**’ means any person driving or in control of a vehicle;

‘**edge line**’ for a carriageway means a line marked along the carriageway at or near the far left or the far right of the carriageway;

‘**emergency vehicle**’ has the meaning given to it by the Code;

Note: The Code defines ‘emergency vehicle’ to mean—
‘a motor vehicle—

(a) *when conveying a police officer on official duty or when that vehicle is stationary at any place connected with the official duty;*

(b) *of a fire brigade on official duty, in consequence of a fire or an alarm of fire or of an emergency or rescue operation where human life is reasonably considered to be in danger;*

(c) *being an ambulance, answering an urgent call or conveying any injured or sick person to any place for the provision of urgent treatment;*

(d) *being used to obtain or convey blood or other supplies, drugs or equipment for a person urgently requiring treatment and duly authorised to carry a siren or bell for use as a warning instrument; or*

(e) *duly authorised as an emergency vehicle for the purposes of these regulations, by the Director General’;*

‘**footpath**’ has the meaning given to it by the Code;

Note: The Code defines ‘footpath’ to mean—
‘an area that is open to the public that is designated for, or has as one of its main uses, use by pedestrians’;

‘**GVM**’ (which stands for ‘gross vehicle mass’) has the meaning given to it by the Code;

Note: The Code defines ‘GVM’ to mean—
‘for a vehicle, the maximum loaded mass of the vehicle—

(a) *specified by the manufacturer on an identification plate on the vehicle; or*

(b) *if there is no specification by the manufacturer on an identification plate on the vehicle or if the specification is not appropriate because the vehicle is modified—certified by the Director General’;*

Median Strip has been amended (see Schedule of Amendments)

‘Loading Zone’ means a parking stall which is set aside for use by commercial vehicles if there is a sign referable to that stall marked ‘Loading Zone’;

‘local government’ means the Town of Victoria Park;

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

Note: The Code defines ‘mail zone’ to mean—

‘the length of carriageway to which a ‘mail zone’ sign applies’;

‘median strip’ means any provision, dividing a road to separate vehicular traffic proceeding in opposing directions or to separate 2 one-way carriageways for vehicles proceeding in opposing directions;

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

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

‘motorcycle’ has the meaning given to it by the Code;

Note: The Code defines ‘motorcycle’ to mean—

‘a motor vehicle that has 2 wheels and includes—

(a) a 2-wheeled motor vehicle with a sidecar attached to it that is supported by a third wheel; and

(b) a motor vehicle with 3 wheels that is ridden in the same way as a motor vehicle with 2 wheels;

but does not include any trailer’;

‘motor vehicle’ means a self-propelled vehicle that is not operated on rails; and the expression includes a trailer, semi-trailer or caravan while attached to a motor vehicle, but does not include a power assisted pedal cycle;

‘no parking area’ has the meaning given to it by the Code;

Note: The Code defines ‘no parking area’ to mean—

‘(a) a portion of carriageway to which a ‘no parking’ sign applies; or

(b) an area to which a ‘no parking’ sign applies’;

‘no parking sign’ means a sign with the words ‘no parking’ in red letters on a white background, or the letter ‘P’ within a red annulus and a red diagonal line across it on a white background;

‘no stopping area’ has the meaning given to it by the Code;

Note: The Code defines ‘no stopping area’ to mean—

‘(a) a portion of carriageway to which a ‘no stopping’ sign applies; or

(b) an area to which a ‘no stopping’ sign applies’;

‘no stopping sign’ means a sign with the words ‘no stopping’ or ‘no standing’ in red letters on a white background or the letter ‘S’ within a red annulus and a red diagonal line across it on a white background;

‘occupier’ has the meaning given to it by the Act;

Note: The Act defines ‘occupier’ to mean—

‘where used in relation to land means the person by whom or on whose behalf the land is actually occupied or, if there is no occupier, the person entitled to possession of the land, and includes a person in unauthorised occupation of Crown land and where under a licence or concession there is a right to take profit of Crown land specified in the licence or concession, means the person having that right’;

‘owner’—

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

(b) where used in relation to any other vehicle, means the person who owns, or is entitled to possession of that vehicle; and

(c) where used in relation to land, has the meaning given to it by the Act;

Note: The Act defines ‘owner’, where used in relation to land, to mean—

‘(a) a person who is in possession as—

(i) the holder of an estate of freehold in possession in the land, including an estate or interest under a contract or an arrangement with the Crown or a person, by virtue of which contract or arrangement the land is held or occupied with a right to acquire by purchase or otherwise the fee simple;

(ii) a Crown lessee or a lessee or tenant under a lease or tenancy agreement of the land which in the hands of the lessor is not rateable land under this Act, but which in the hands of the lessee or tenant is by reason of the lease or tenancy rateable land under this or another Act for the purposes of this Act;

(iii) a mortgagee of the land; or

(iv) a trustee, executor, administrator, attorney, or agent of a holder, lessee, tenant or

mortgagee, mentioned in this paragraph;

- (b) *where there is not a person in possession, means the person who is entitled to possession of the land in any of the capacities mentioned in paragraph (a), except that of mortgagee;*
- (c) *where, under a licence or concession there is a right to take profit of Crown land specified in the licence or concession, means the person having that right;*
- (d) *where a person is lawfully entitled to occupy land which is vested in the Crown, and which has no other owner according to paragraph (a), (b) or (c), means the person so entitled;*
- (e) *means a person who—*
 - (i) *under the Mining Act 1978, holds in respect of the land a mining tenement within the meaning given to that expression by that Act;*
 - (ii) *in accordance with the Mining Act 1978 holds, occupies, uses or enjoys in respect of the land a mining tenement within the meaning given to that expression by the Mining Act 1904; or*
 - (iii) *under the Petroleum Act 1967 holds in respect of the land a petroleum production licence or a petroleum exploration permit within the meaning given to each of those expressions by that Act;*

or

- (f) *where a person is in the unauthorised occupation of Crown land, means the person so in occupation’;*

‘park’ in relation to a vehicle, means to permit a vehicle, whether attended or not by any person, to remain stationary except for the purpose of—

- (a) avoiding conflict with other traffic; or
- (b) complying with the provisions of any law; or
- (c) taking up or setting down persons or goods (*maximum of 2 minutes*);

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

Note: The Code defines ‘parking area’ to mean—

- (a) *a portion of carriageway to which a ‘permissive parking’ sign applies; or*
- (b) *an area to which a ‘permissive parking’ sign applies’;*

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

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

‘parking region’ means the area described in Schedule 1;

‘parking stall’ means a section or part of a thoroughfare or of a parking station which is marked or defined by painted lines, metallic studs, coloured bricks or pavers or similar devices for the purpose of indicating where a vehicle may be parked, but does not include a metered space;

‘parking station’ means any land, or structure provided for the purpose of accommodating vehicles with or without charge, but does not include a metered zone or metered space;

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

Note: The Code defines pedestrian crossing to mean—

‘a portion of a carriageway—

- (a) *defined—*
 - (i) *by white stripes; or*
 - (ii) *by white or yellow stripes (according to the colour of the carriageway) and the portions of the carriageway lying between those stripes, in such a manner that each stripe is approximately parallel to the centre of the carriageway; and*
- (b) *near each end of which may be erected, on each side of the carriageway, so as to be clearly visible to an approaching driver, a “pedestrian crossing” sign’;*

‘public place’ means any place to which the public has access whether or not that place is on private property;

‘reserve’ means any land—

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

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

‘Schedule’ means a Schedule to this Local Law;

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

Note: The Code defines ‘shared zone’ to mean—

‘the network of roads in an area with—

- (a) *a ‘shared zone’ sign on each road into the area, indicating the same number; and*
- (b) *an ‘end shared zone’ sign on each road out of the area;*

Note: There are a number of other permitted versions of each of these signs;

Note: A ‘shared zone’ sign may also have a different number on the sign’;

‘sign’ includes a traffic sign, inscription, road marking, mark, structure or device approved by the local government on which may be shown words, numbers, expressions or symbols, and which is placed on or near a thoroughfare or within a parking station or reserve for the purpose of prohibiting, regulating, guiding, directing or restricting the parking of vehicles;

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

Note: The Code defines ‘special purpose vehicle’ to mean—

- (a) *a vehicle being driven by a member of the Police Force (other than a police officer) on official duty or that vehicle when it is stationary at any place connected with the official duty;*
- (b) *a public utility service truck;*
- (c) *a tow truck;*
- (d) *a motor break-down service vehicle;*
- (e) *a vehicle being used by a government or local authority in connection with its roadwork or speed zoning functions; or*
- (f) *a vehicle duly authorised as a special purpose vehicle for the purposes of these regulations, by the Director General,*

but does not include an emergency vehicle’;

‘stop’ in relation to a vehicle means to stop a vehicle and permit it to remain stationary, except for the purposes of avoiding conflict with other traffic or of complying with the provisions of any law;

‘strata company’ has the meaning given to it by the *Strata Titles Act 1985*;

‘symbol’ includes any symbol specified by Australian Standard 1742.11-1999 and any symbol specified from time to time by Standards Australia for use in the regulation of parking and any reference to the wording of any sign in this Local Law shall be also deemed to include a reference to the corresponding symbol;

‘taxi’ means a taxi within the meaning of the *Taxi Act 1994* or a taxi-car in section 47Z of the *Transport Co-ordination Act 1966*;

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

Note: The Code defines ‘taxi zone’ to mean—

‘a length of carriageway to which a ‘taxi zone’ applies’;

‘thoroughfare’ has the meaning given to it by the Act;

Note: The Act defines ‘thoroughfare’ to mean—

‘a road or other thoroughfare and includes structures and other things appurtenant to the thoroughfare that are within its limits, and nothing is prevented from being a thoroughfare only because it is not open at each end’;

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

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

Note: The Code defines ‘traffic island’ to mean—

‘any physical provision, other than lines, marks or other indications on a carriageway, made at or near an intersection, to guide vehicular traffic’;

‘trailer’ means any vehicle without motive power of its own, designed for attachment to a motor vehicle for the purpose of being towed, but does not include the rear portion of an articulated vehicle, or a side car;

‘valve stem reading’ means a record of the position of the valve stem on a wheel;

‘vehicle’ has the meaning given to it by the Code;

Note: The Code defines ‘vehicle’ according to the definition of ‘vehicle’ in the Road Traffic Act which includes an animal driven or ridden but does not include a wheeled toy or wheeled recreational device;

‘verge’ means the portion of a thoroughfare which lies between the boundary of a carriageway and the adjacent property line and includes any part of the verge designed for or intended for use by vehicles but does not include a footpath.

1.4 Application of Particular Definitions

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

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

1.5 Application and pre-existing signs

- (1) Subject to subclause (2), this Local Law applies to the parking region.
- (2) This Local Law does not apply to a parking facility or a parking station that is not occupied by the local government, unless the local government and the owner or occupier of that facility or station have agreed in writing that this Local Law will apply to that facility or station.
- (3) The agreement referred to in subclause (2) may be made on such terms and conditions as the parties may agree.
- (4) Where a parking facility or a parking station is identified in Schedule 4, then the facility or station shall be deemed to be a parking station to which this Local law applies and it shall not be necessary to prove that it is the subject of an agreement referred to in subclause (2).
- (5) A sign that—
 - (a) was erected by the local government or the Commissioner of Main Roads prior to the coming into operation of this Local Law; and
 - (b) relates to the parking of vehicles within the parking region, shall be deemed for the purposes of this Local Law to have been erected by the local government under the authority of this Local Law.
- (6) An inscription or symbol on a sign referred to in subclause (5) operates and has effect according to its tenor.
- (7) The provisions of Parts (2), (3), (4) and (5) do not apply to a bicycle parked at a bicycle rail or bicycle rack.

1.6 Classes of vehicles

For the purpose of this Local Law, vehicles are divided into classes as follows—

- (a) buses;
- (b) commercial vehicles;
- (c) motorcycles and bicycles;
- (d) taxis; and
- (e) all other vehicles.

1.7 Part of thoroughfare to which sign applies

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

- (a) lies beyond the sign;
- (b) lies between the sign and the next sign beyond that sign; and
- (c) is on that side of the thoroughfare nearest to the sign.

1.8 Powers of Local Government

The local government may, by resolution, prohibit or regulate by signs or otherwise, the stopping or parking of any vehicle or any class of vehicles in any part of the parking region but must do so consistently with the provisions of this Local Law.

PART 2—METERED ZONES

2.1 Determination of metered zones

- (1) The local government may by resolution constitute, determine and vary and also indicate by signs, metered spaces and metered zones.
- (2) In respect of metered spaces and metered zones the local government may by resolution determine, and may indicate by signs—
 - (a) permitted times and conditions of parking depending on and varying with the locality;
 - (b) classes of vehicles which are permitted to park;
 - (c) the amount payable for parking; and
 - (d) the manner of parking.

2.2 Parking fee to be paid

Subject to clause 2.5, a person shall not park a vehicle in a metered space unless the appropriate fee as indicated by a sign on the parking meter referable to the space is inserted into the parking meter.

2.3 Limitation on parking in metered space

The payment of a fee under clause 2.2 shall entitle a person to park the vehicle in a metered space for the period shown on the parking meter, but does not authorise the parking of the vehicle during any time when parking in that space may be prohibited in accordance with this Local Law.

2.4 No parking when meter is expired

Subject to clause 2.5, a person shall not leave or permit a vehicle to remain parked in a metered space during the hours when a fee is payable to park the vehicle in the space when the parking meter referable to that space exhibits the sign 'Expired' or a negative time.

2.5 Suspension of requirement to pay fee

The local government may from time to time by a resolution declare that the provisions of clauses 2.2 and 2.4 shall not apply during the periods and days specified in the resolution.

2.6 Vehicles to be within metered space

Subject to subclause (2)—

- (1) A person shall not park a vehicle in a metered space in a thoroughfare otherwise than parallel to and as close to the kerb as practicable and wholly within the space, provided that where a metered space is set out otherwise than parallel to the kerb the vehicle need only park wholly within the space.
- (2) If a vehicle is too long or too wide to fit completely within a single metered space then the person parking the vehicle shall do so within the minimum number of metered spaces needed to park that vehicle.
- (3) A person shall not park a vehicle partly within and partly outside a metered zone.

2.7 Permitted insertions in parking meters

- (1) A person shall not insert into a parking meter anything other than the designations of coin or banknote or such other permitted form of payment indicated by a sign on the parking meter.
- (2) The insertion of a coin or banknote into any parking meter or the making of payment in such other form as may be permitted shall be effected only in accordance with the instructions printed on that particular meter.

2.8 Parking ticket to be clearly visible

A driver of a vehicle left parked in a metered zone which is regulated by a ticket issuing machine shall on purchasing a ticket from the machine for a period of parking, place the ticket on top of the dashboard inside the vehicle in such a position that the ticket is clearly visible and the expiry time or time for which the ticket remains valid is able to be read by an Authorised Person examining the ticket from outside the vehicle.

2.9 One vehicle per metered space

A person shall not park or attempt to park a vehicle in a metered space in which another vehicle is parking.

2.10 No parking when hood on meter

Notwithstanding any other provision of this Local Law and notwithstanding any other sign or notice, a person shall not park a vehicle in a metered space if the parking meter referable to such metered space has a hood marked 'No Parking', 'Reserved Parking' or 'Temporary Bus Stand' or equivalent symbols depicting these purposes except with the permission of the local government or an Authorised Person.

PART 3—PARKING STALLS AND PARKING STATIONS

3.1 Determination of parking stalls and parking stations

The local government may by resolution constitute, determine and vary and also indicate by signs—

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

3.2 Vehicles to be within parking stall on thoroughfare

(1) Subject to subclause (2), (3) and (4), a person shall not park a vehicle in a parking stall in a thoroughfare otherwise than—

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

(2) Subject to subclause (3) where a parking stall in a thoroughfare is set out otherwise than parallel to the kerb, then a person must park a vehicle in that stall wholly within it.

- (3) If a vehicle is too long or too wide to fit completely within a single parking stall then the person parking the vehicle shall do so within the minimum number of parking stalls needed to park that vehicle.
- (4) A person shall not park a vehicle partly within and partly outside a parking area.

3.3 Payment of fee to park in parking station

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

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

3.4 Suspension of parking station restrictions

The local government may by resolution declare that the provisions of clause 3.3 do not apply during periods on particular days in relation to particular parking stations as specified in such resolution.

3.5 Vehicle not to be removed until fee paid

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

3.6 Entitlement to receipt

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

3.7 Parking ticket to be clearly visible

A driver of a vehicle in a parking station which is equipped with a ticket issuing machine shall on purchasing a ticket from the machine for a period of parking, place the ticket on top of the dashboard inside the vehicle in such a position that the ticket is clearly visible and the expiry time or time for which the ticket remains valid is able to be read by an Authorised Person examining the ticket from outside the vehicle.

3.8 Parking prohibitions and restrictions

- (1) A person shall not—
- (a) park a vehicle so as to obstruct an entrance to, or an exit from a parking station, or an access way within a parking station;
 - (b) park a vehicle in a parking stall within a parking station otherwise than wholly within the stall;
 - (c) except with the permission of the local government or an Authorised Person park a vehicle on any part of a parking station contrary to a sign referable to that part;
 - (d) permit a vehicle to park on any part of a parking station, if an Authorised Person directs the driver of such vehicle to move the vehicle; or
 - (e) park or attempt to park a vehicle in a parking stall in which another vehicle is parked but this paragraph does not prevent the parking of a motorcycle and a bicycle together in a stall marked 'M/C', if the bicycle is parked in accordance with subclause (2).
- (2) No person shall park any bicycle—
- (a) in a parking stall other than in a stall marked 'M/C'; and
 - (b) in such stall other than against the kerb.
- (3) Notwithstanding the provisions of subclause (1)(b) a driver may park a vehicle in a permissive parking stall or station (except in a parking area for people with disabilities) for twice the length of time allowed, provided that—
- (a) the driver's vehicle displays an ACROD sticker; and
 - (b) a person with disabilities to which that ACROD sticker relates is either the driver of or a passenger in the vehicle.

PART 4—PARKING GENERALLY

4.1 Restrictions on parking in particular areas

- (1) Subject to subclause (2), a person shall not park a vehicle in a thoroughfare or part of a thoroughfare, or part of a parking station—
- (a) if by a sign it is set apart for the parking of vehicles of a different class;
 - (b) if by a sign it is set apart for the parking of vehicles by persons of a different class; or
 - (c) during any period when the parking of vehicles is prohibited by a sign.
- (2) (a) This subclause applies to a driver if—
- (i) the driver's vehicle displays an ACROD sticker; and
 - (ii) a disabled person to which the ACROD sticker relates is either the driver of the vehicle or a passenger in the vehicle.

- (b) The driver may park a vehicle in a thoroughfare or a part of a thoroughfare or part of a parking station, except in a thoroughfare or a part of a thoroughfare or part of a parking station to which a disabled parking sign relates for twice the period indicated on the sign.
- (3) A person shall not park a vehicle—
 - (a) in a no parking area;
 - (b) in a parking area, except in accordance with both the signs associated with the parking area and with this Local Law;
 - (c) in a stall marked ‘M/C’ unless it is a motorcycle without a sidecar or a trailer, or it is a bicycle.
- (4) A person shall not park a motorcycle without a sidecar or a trailer, or a bicycle in a parking stall unless the stall is marked ‘M/C’.
- (5) A person shall not, without the prior permission of the local government, the CEO, or an Authorised Person, park a vehicle in an area designated by a sign stating ‘Authorised Vehicles Only’.

4.2 Parking vehicle on a carriageway

- (1) A person parking a vehicle on a carriageway other than in a parking stall shall park it—
 - (a) in the case of a two-way carriageway, so that it is as near as practicable to and parallel with, the left boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the vehicle is parked;
 - (b) in the case of a one-way carriageway, so that it is as near as practicable to and parallel with either boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the vehicle is parked;
 - (c) so that at least 3 metres of the width of the carriageway lies between the vehicle and the farther boundary of the carriageway, or any continuous line or median strip, or between the vehicle and a vehicle parked on the farther side of the carriageway;
 - (d) so that the front and the rear of the vehicle respectively is not less than 1 metre from any other vehicle, except a motorcycle without a trailer, or a bicycle parked in accordance with this Local Law; and
 - (e) so that it does not obstruct any vehicle on the carriageway,
 unless otherwise indicated on a parking regulation sign or markings on the roadway.
- (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.

4.3 When parallel and right-angled parking apply

Where a traffic sign associated with a parking area is not inscribed with the words ‘angle parking’ (or with an equivalent symbol depicting this purpose), then unless a sign associated with the parking area indicates, or marks on the carriageway indicate, that vehicles have to park in a different position, where the parking area is—

- (a) adjacent to the boundary of a carriageway, a person parking a vehicle in the parking area shall park it as near as practicable to and parallel with that boundary; and
- (b) at or near the centre of the carriageway, a person parking a vehicle in that parking area shall park it at approximately right angles to the centre of the carriageway.

4.4 When angle parking applies

- (1) This clause does not apply to—
 - (a) a passenger vehicle or a commercial vehicle with a mass including any load, of over 3 tonnes; or
 - (b) a person parking either a motorcycle without a trailer or a bicycle.
- (2) Where a sign associated with a parking area is inscribed with the words ‘angle parking’ (or with an equivalent symbol depicting this purpose), a person parking a vehicle in the area shall park the vehicle at an angle of approximately 45 degrees to the centre of the carriageway unless otherwise indicated by the inscription on the parking sign or by marks on the carriageway.

4.5 General prohibitions on parking

- (1)
 - (a) This clause does not apply to a vehicle parked in a parking stall nor to a bicycle in a bicycle rack.
 - (b) Subclauses (2)(c), (e) and (g) do not apply to an authorised vehicle which parks in a bus embayment.
- (2) A person shall not park a vehicle so that any portion of the vehicle is—
 - (a) between any other stationary vehicles and the centre of the carriageway;
 - (b) on or adjacent to a median strip;
 - (c) obstructing a right of way, private drive or carriageway or so close as to deny a vehicle reasonable access to or egress from the right of way, private drive or carriageway;
 - (d) alongside or opposite any excavation, works, hoarding, scaffolding or obstruction on the carriageway, if the vehicle would obstruct traffic;

- (e) on or within 10 metres of any portion of a carriageway bounded by a traffic island;
 - (f) on any footpath or pedestrian crossing;
 - (g) between the boundaries of a carriageway and any double longitudinal line consisting of 2 continuous lines or between a double longitudinal line consisting of a continuous line and a broken or dotted line and the boundary of a carriageway nearer to the continuous line, unless there is a distance of at least 3 metres clear between the vehicle and the double longitudinal line;
 - (h) on an intersection, except adjacent to a carriageway boundary that is not broken by an intersecting carriageway;
 - (i) 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;
 - (j) within 3 metres of a public letter pillar box, unless the vehicle is being used for the purposes of collecting postal articles from the pillar box; or
 - (k) within 10 metres of the nearer property line of any thoroughfare intersecting the thoroughfare on the side on which the vehicle is parked, unless a sign or markings on the carriageway indicate otherwise.
- (3) A person shall not park a vehicle so that any portion of the vehicle is within 10 metres of the departure side of—
- (a) a sign inscribed with the words ‘Bus Stop’ or ‘Hail Bus Here’ (or with equivalent symbols depicting these purposes) unless the vehicle is a bus stopped to take up or set down passengers; or
 - (b) a children’s crossing or pedestrian crossing.
- (4) A person shall not park a vehicle so that any portion of the vehicle is within 20 metres of the approach side of—
- (a) a sign inscribed with the words ‘Bus Stop’ or ‘Hail Bus Here’ (or with equivalent symbols depicting these purposes) unless the vehicle is a bus stopped to take up or set down passengers;
 - (b) a children’s crossing or pedestrian crossing.
- (5) A person shall not park a vehicle so that any portion of the vehicle is within 20 metres of either the approach side or the departure side of the nearest rail of a railway level crossing.

4.6 Authorised person may order vehicle on thoroughfare to be moved

The driver of a vehicle shall not park that vehicle on any part of a thoroughfare in contravention of this Local Law after an Authorised Person has directed the driver to move it.

4.7 Authorised person may mark tyres

- (1) An Authorised Person may in a parking facility-
- (a) mark the tyres of a vehicle with chalk or any other non-indelible substance;
 - (b) record the position of a vehicle;
 - (c) take a valve stem reading of a vehicle; or
 - (d) record vehicle details and vehicle registration numbers;
- for any purpose connected with or arising out of his or her duties or powers.
- (2) A person shall not remove a mark made by an Authorised Person so that the purpose of the affixing of such a mark is defeated or likely to be defeated.

4.8 No movement of vehicles to avoid time limitation

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

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

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

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

4.10 Parking on private land

- (1) In this clause a reference to ‘land’ does not include land—
- (a) which belongs to the local government;
 - (b) of which the local government is the management body under the *Land Administration Act 1997*;
 - (c) which is an ‘otherwise unvested facility’ within section 3.53 of the Act; or
 - (d) which is identified in Schedule 4.
- (2) A person shall not park a vehicle on land without the consent of the owner or occupier of the land on which the

vehicle is parked.

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

4.11 Parking on reserves

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

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

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

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

PART 5—PARKING AND STOPPING GENERALLY

5.1 No stopping and no parking signs, and yellow edge lines

(1) No stopping

A driver shall not stop on a length of carriageway, or in an area, to which a 'no stopping' sign applies.

(2) No parking

A driver shall not stop on a length of carriageway or in an area to which a 'no parking' sign applies, unless the driver is—

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

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

(3) No stopping on a carriageway with yellow edge lines

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

PART 6—STOPPING IN ZONES FOR PARTICULAR VEHICLES

6.1 Stopping in a loading zone

A person shall not stop a vehicle in a loading zone: -

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

6.2 Stopping in a taxi zone or a bus zone

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

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

6.3 Stopping in a mail zone

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

6.4 Other limitations in zones

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

PART 7—OTHER PLACES WHERE STOPPING IS RESTRICTED

7.1 Stopping in a shared zone

A driver shall not stop in a shared zone unless—

- (1) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under these Local Laws;
- (2) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under these Local Laws;
- (3) the driver is dropping off, or picking up, passengers or goods; or
- (4) the driver is engaged in door-to-door delivery or collection of goods, or in the collection of waste or garbage.

7.2 Double parking

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

(2) This clause does not apply to—

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

7.3 Stopping near an obstruction

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

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

(1) A driver shall not stop a vehicle on a bridge, causeway, ramp or similar structure unless—

- (a) the carriageway is at least as wide on the structure as it is on each of the approaches and a traffic sign does not prohibit stopping or parking; or
- (b) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under these Local Laws.

(2) A driver shall not stop a vehicle in a tunnel or underpass unless—

- (a) the carriageway is at least as wide in the tunnel or underpass as it is on each of the approaches and a traffic sign does not prohibit stopping or parking; or
- (b) the driver of a motor vehicle stops at a bus stop, or in a bus zone or parking area marked on the carriageway, for the purpose of setting down or taking up passengers.

7.5 Stopping on crests, curves, etc.

(1) Subject to subclause (2), a driver shall not stop a vehicle on, or partly on, a carriageway, in any position where it is not visible to the driver of an overtaking vehicle, from a distance of 50 metres within a built-up area, and from a distance of 150 metres outside a built-up area.

(2) A driver may stop on a crest or curve on a carriageway that is not in a built-up area if the driver stops at a place on the carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under these Local Laws.

7.6 Stopping near a fire hydrant etc.

(1) A driver shall not stop a vehicle so that any portion of the vehicle is within one metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug, unless—

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

(2) In this clause a driver leaves the vehicle 'unattended' if the driver leaves the vehicle so the driver is over 3 metres from the closest point of the vehicle.

7.7 Stopping at or near a bus stop

(1) A driver shall not stop a vehicle so that any portion of the vehicle is within 20 metres of the approach side of a bus stop, or within 10 metres of the departure side of a bus stop, unless—

- (a) the vehicle is a public bus stopped to take up or set down passengers; or
- (b) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under these Local Laws.

(2) In this clause—

- (a) distances are measured in the direction in which the driver is driving; and
- (b) a trailer attached to a public bus is deemed to be a part of the public bus.

7.8 Stopping on a path, median strip, or traffic island

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

7.9 Stopping on verge

(1) A person shall not—

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

so that any portion of it is on a verge.

(2) Subclause (1)(a) does not apply to the person if he or she is the owner or occupier of the premises adjacent to that verge, or is a person authorised by the occupier of those premises to stop the vehicle so that any portion of it is on the verge, unless otherwise prohibited by a written resolution of the strata company responsible for the common property of the lot adjacent to that verge.

(3) Subclause (1)(b) does not apply to a commercial vehicle when it is being loaded or unloaded with reasonable expedition with goods, merchandise or materials collected from or delivered to the premises adjacent to the portion of the verge on which the commercial vehicle is parked, provided no obstruction is caused to the passage of any vehicle or person using a carriageway or a path.

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

(1) A driver shall not stop a vehicle so that any portion of the vehicle is in front of a path, in a position that obstructs access by vehicles or pedestrians to or from that path, unless—

- (a) the driver is dropping off, or picking up, passengers; or
- (b) the driver stops in a parking stall and the driver is permitted to stop in the parking stall under these Local Laws.

(2) A driver shall not stop a vehicle on or across a driveway or other way of access for vehicles travelling to or from adjacent land, unless—

- (a) the driver is dropping off, or picking up, passengers; or
- (b) the driver stops in a parking stall and the driver is permitted to stop in the parking stall under these Local Laws.

7.11 Stopping near a letter box

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

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

7.12 Stopping on a carriageway or parking facility—heavy and long vehicles

(1) A person shall not park a vehicle or any combination of vehicles, that, together with any projection on, or load carried by, the vehicle or combination of vehicles, is 7.5 metres or more in length or exceeds a GVM of 4.5 tonnes—

- (a) on a carriageway or parking facility in a built-up area, for any period exceeding one hour, unless engaged in the picking up or setting down of goods; or
- (b) on a carriageway outside a built-up area, except on the shoulder of the carriageway, or in a truck bay or other area set aside for the parking of goods vehicles.

(2) Nothing in this clause mitigates the limitations or condition imposed by any other clause or by any local law or traffic sign relating to the parking or stopping of vehicles.

7.13 Stopping on a carriageway with a bicycle parking sign

The driver of a vehicle (other than a bicycle) shall not stop on a length of carriageway to which a ‘bicycle parking’ sign applies, unless the driver is dropping off, or picking up, passengers.

7.14 Stopping on a carriageway with motor cycle parking sign

The driver of a vehicle shall not stop on a length of carriageway, or in an area, to which a ‘motor cycle parking’ sign applies, or an area marked ‘M/C’ unless—

- (a) the vehicle is a motor cycle; or
- (b) the driver is dropping off, or picking up, passengers.

7.15 Stopping in a parking stall for people with disabilities

- (1) A driver shall not stop in a parking area for people with disabilities unless—
 - (a) the driver's vehicle displays an ACROD sticker; and
 - (b) either the driver or the passenger in that vehicle is a person with disabilities.
- (2) In this clause a 'parking area for people with disabilities' is a length or area—
 - (a) to which a 'permissive parking' sign displaying a people with disabilities symbol applies;
 - (b) to which a 'people with disabilities parking' sign applies;
 - (c) indicated by a road marking (a 'people with disabilities road marking') that consists of, or includes, a people with disabilities symbol; or
 - (d) set aside within a parking region as a 'parking stall for use of a disabled person' under the *Local Government (Parking for Disabled Persons) Regulations 1988*.

PART 8—PARKING PERMITS

8.1 Residential and Visitor parking permits

- (1) A person may apply for a Residential Parking Permit to park a vehicle on a thoroughfare if the person is—
 - (a) an occupier of a lot fronting the thoroughfare;
 - (b) the holder of the requisite vehicle licence under the Road Traffic Act for the vehicle; and
 - (c) subject to subclause (2), described on the vehicle licence as residing at the lot.
- (2) A person may apply for a Visitor Parking Permit if the person is an owner or occupier of a residential dwelling and the owner or occupier satisfies the local government that they own or occupy the residential dwelling.
- (3) An application for a permit shall be made in the form determined by the local government.
- (4) The local government may in respect of an application for a permit for the purpose of subclause (1) or (2)—
 - (a) approve it;
 - (b) approve it subject to such conditions as the local government considers appropriate; or
 - (c) refuse to approve it.
- (5) Where the local government makes a decision under subclauses (4)(a) or (b), it shall issue a permit in the form determined by it to the person who applied for the permit.
- (6) A Residential Parking Permit or a Visitor Parking Permit issued for the purpose of subclauses (1) or (2) may be either—
 - (a) an annual permit, issued for a period not exceeding one year and expiring on 31 December in the year of issue; or
 - (b) a temporary permit, issued for a period not exceeding 6 months from the date of issue.
- (7) Where a temporary Residential Parking Permit or Visitor Parking Permit is issued, that permit is not renewable.
- (8) Every Residential Parking Permit issued for the purpose of subclause (1) is to specify—
 - (a) a permit number;
 - (b) the registration number of the vehicle;
 - (c) the name of the thoroughfare to which the exemption granted by clause 8.2 applies; and
 - (d) the date on which it expires.
- (9) Every Visitor Parking Permit issued for the purpose of subclause (2) is to specify:
 - (a) a permit number;
 - (b) the name of the thoroughfare to which the exemption granted by clause 8.2 applies; and
 - (c) the date on which it expires.

8.2 Conditions of exemption for Residential and Visitor Parking Permits

Where parking of a vehicle on any part of a thoroughfare within the district is prohibited for more than a specified time, or without an unexpired parking ticket being displayed within the vehicle, the holder of a permit issued under clause 8.1 is exempted from such prohibitions if—

- (a) the vehicle is parked on a thoroughfare specified in the permit, but not adjacent to retail premises where the parking of all vehicles is subject to a time restriction;
- (b) the permit is affixed to the windscreen of the vehicle in a prominent position;
- (c) the period in respect of which the permit was issued has not expired; and
- (d) the holder of the permit still resides at the lot in respect of which the permit was issued.

8.3 Removal and cancellation of residential parking permit Residential and Visitor Parking Permits

The holder of a permit issued under clause 8.1 who changes residence shall not display a Residential Parking Permit or Visitor Parking Permit issued in relation to that residence and the permit shall be deemed to be cancelled on and from the date the holder changes residence.

8.4 Construction site vehicle parking

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

“**builder**” has the same meaning as that expression is given in the *Building Regulations 1989*;

“**construction site**” means any land subject to development;

“**construction site vehicle**” means a commercial vehicle or a heavy goods vehicle;

“**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 goods vehicle**” means a vehicle which comes within the interpretation of either a tractor (prime mover type) or a tractor (other than prime mover type) in the First Schedule to the *Road Traffic Act 1974* and includes any other vehicle constructed primarily for the conveyance of goods which is attached to a heavy goods vehicle; and

“**work zone**” means any road or part of a road, whether or not marked as a metered space or parking stall, 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 make written application to the local government which may approve or refuse the application.

(3) Where the local government approves an application made under subclause (2), it shall give the applicant written notice specifying—

- (a) the portion of road approved for use as a work zone;
- (b) the term 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 as determined by the local government from time to time.

(4) Where the establishment fee specified in a notice referred to in subclause (3) is paid to the local government within fourteen days from the date of issue of the notice, the local government shall set aside a work zone in accordance with the notice.

(5) An eligible person shall, in addition to the establishment fee, pay to the local government a daily fee as determined by the local government from time to time for each day that a work zone is set aside.

(6) The daily fee shall be payable in arrears on the first day of each month.

(7) If the daily fee is at any time in arrears after it shall have become due (whether or not any formal or legal demand is made), the local government may remove any signs used to set aside the work zone.

(8) A person shall 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.

PART 9—MISCELLANEOUS

9.1 Removal of notices on vehicle

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

9.2 Unauthorised signs and defacing of signs

A person shall not without the authority of the local government—

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

9.3 Signs must be complied with

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

9.4 General provisions about signs

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

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

9.5 Special purpose and emergency vehicles

Notwithstanding anything to the contrary in this Local Law, the driver of—

(1) a special purpose vehicle may, only in the course of his or her duties and when it is expedient and safe to do so, stop, or park the vehicle in any place, at any time; and

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

9.6 Vehicles not to obstruct a public place

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

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

9.7 Contravention that may lead to impounding

For the purposes of Subdivision 4 of Division 3 Part 3 of the Act and Regulation 29 of the *Local Government (Functions and General) Regulations 1996* a contravention of this local law is a contravention that may lead to impounding.

PART 10—PENALTIES

10.1 Offences and penalties

(1) Any person who fails to do anything required or directed to be done under this Local Law, or who does anything which under this Local Law that person is prohibited from doing, commits an offence.

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

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

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

10.2 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 3;
- (b) the form of the infringement notice referred to in section 9.17 of the Act is that of Form 2 in Schedule 3;
- (c) the form of the infringement notice referred to in section 9.17 of the Act which incorporates the notice referred to in section 9.13 of the Act, is that of Form 3 in Schedule 3; and
- (d) the form of the notice referred to in section 9.20 of the Act is that of Form 4 in Schedule 3.

Schedule 1
PARKING REGION

The parking region is the whole of the district excluding the following portions of the district—

- (1) the approach and departure prohibition areas of all existing and future traffic control signal installations as determined by the Commissioner of Main Roads;
- (2) prohibition areas applicable to all existing and future bridges and subways as determined by the Commissioner of Main Roads; and
- (3) any road which comes under the control of the Commissioner of Main Roads unless the control of parking and parking facilities on that road has been delegated by the Commissioner of Main Roads to the local government.

Schedule 2
PRESCRIBED OFFENCES

PARKING AND PARKING FACILITIES LOCAL LAW 2008

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
1	2.2	Failure to pay fee for metered space	60
2	2.3	Parking in excess of period shown on metered space	60
3	2.4	Parking when meter has expired	60
4	2.6(1)	Failure to park wholly within metered space	60
5	2.6(3)	Parking outside metered zone	60
6	2.7	Non-permitted insertion in parking meter	60
7	2.8	Failure to display ticket clearly in metered zone	60
8	2.9	Parking or attempting to park a vehicle in a metered space occupied by another vehicle	60
9	2.10	Parking contrary to a meter hood	120
10	3.2	Failure to park wholly within parking stall	60
11	3.2(4)	Failure to park wholly within parking area	60
12	3.3	Failure to pay parking station fee	60
13	3.5	Leaving without paying parking station fee	60
14	3.7	Failure to display ticket clearly in parking station	60
15	3.8(1)(a)	Causing obstruction in parking station	90
16	3.8(1)(c)	Parking contrary to sign in parking station	60
17	3.8(1)(d)	Parking contrary to directions of Authorized Person	120

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
18	3.8(1)(e)	Parking or attempting to park a vehicle in a parking stall occupied by another vehicle	60
19	4.1(1)(a)	Parking wrong class of vehicle	60
20	4.1(1)(b)	Parking by persons of a different class	60
21	4.1(1)(c)	Parking during prohibited period	120
22	4.1(3)(a)	Parking in no parking area	120
23	4.1(3)(b)	Parking contrary to signs or limitations	60
24	4.1(3)(c)	Parking vehicle in motor cycle only area	60
25	4.1(4)	Parking motor cycle in stall not marked 'M/C'	60
26	4.1(5)	Parking without permission in an area designated for 'Authorised Vehicles Only'	120
27	4.2(1)(a)	Failure to park on the left of two-way carriageway	60
28	4.2(1)(b)	Failure to park on boundary of one-way carriageway	60
29	4.2(1)(a) or 4.2(1)(b)	Parking against the flow of traffic	60
30	4.2(1)(c)	Parking when distance from farther boundary less than 3 metres	120
31	4.2(1)(d)	Parking closer than 1 metre from another vehicle	60
32	4.2(1)(e)	Causing obstruction	120
33	4.3(b)	Failure to park at approximate right angle	60
34	4.4(2)	Failure to park at an appropriate angle	60
35	4.5(2)(a) and 7.2	Double parking	120
36	4.5(2)(b)	Parking on or adjacent to a median strip	60
37	4.5(2)(c)	Denying access to private drive or right of way	120
38	4.5(2)(d)	Parking beside excavation or obstruction so as to obstruct traffic	60
39	4.5(2)(e)	Parking within 10 metres of traffic island	60
40	4.5(2)(f)	Parking on footpath/pedestrian crossing	120
41	4.5(2)(g)	Parking contrary to continuous line markings	60
42	4.5(2)(h)	Parking on intersection	120
43	4.5(2)(i)	Parking within 1 metre of fire hydrant or fire plug	60
44	4.5(2)(j)	Parking within 3 metres of public letter box	60
45	4.5(2)(k)	Parking within 10 metres of intersection	60
46	4.5(3)(a) or (b)	Parking vehicle within 10 metres of departure side of bus stop, children's crossing or pedestrian crossing	60

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
47	4.5(4)(a) or (b)	Parking vehicle within 20 metres of approach side of bus stop, children's crossing or pedestrian crossing	60
48	4.5(5)	Parking vehicle within 20 metres of approach side or departure side of railway level crossing	60
49	4.6	Parking contrary to direction of Authorized Person	120
50	4.7(2)	Removing mark of Authorized Person	120
51	4.8	Moving vehicle to avoid time limitation	60
52	4.9(a)	Parking in thoroughfare or parking facility for purpose of sale	60
53	4.9(b)	Parking unlicensed vehicle in thoroughfare	60
54	4.9(c)	Parking a trailer/caravan on a thoroughfare	60
55	4.9(d)	Parking in thoroughfare or parking facility for purpose of repairs	60
56	4.10(1) or (2)	Parking on land that is not a parking facility without consent	120
57	4.10(3)	Parking on land not in accordance with consent	60
58	4.11	Driving or parking on reserve	60
59	5.1(1)	Stopping contrary to a 'no stopping' sign	120
60	5.1(2)	Parking contrary to a 'no parking' sign	120
61	5.1(3)	Stopping within continuous yellow lines	120
62	6.1	Stopping unlawfully in a loading zone	60
63	6.2	Stopping unlawfully in a taxi zone or bus zone	120
64	6.3	Stopping unlawfully in a mail zone	60
65	6.4	Stopping in a zone contrary to a sign	60
66	7.1	Stopping in a shared zone	60
67	7.3	Stopping near an obstruction	60
68	7.4	Stopping on a bridge or tunnel	60
69	7.5	Stopping on crests/curves etc	60
70	7.6	Stopping near fire hydrant	60
71	7.7	Stopping near bus stop	120
72	7.8	Stopping on path, median strip or traffic island	60
73	7.9	Stopping on verge	60
74	7.10	Obstructing path, a driveway etc	120
75	7.11	Stopping near letter box	60
76	7.12	Stopping heavy or long vehicles on carriageway or parking facility	90

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
77	7.13	Stopping in bicycle parking area	60
78	7.14	Stopping in motorcycle parking area	60
79	7.15	Stopping in disabled parking area	120
80	8.3	Failure to remove permit when residence changed	60
81	9.6	Leaving vehicle so as to obstruct a public place	120
82		All other offences not specified	60

Schedule 3
Forms
Local Government Act 1995

Form 1
PARKING AND PARKING FACILITIES LOCAL LAW 2008
NOTICE TO OWNER OF VEHICLE INVOLVED IN OFFENCE

Date / /

To: (1).....
of: (2).....
It is alleged that on / / at (3).....
at (4) your vehicle:
make:;
model: ;
registration: ,
was involved in the commission of the following offence—.....
.....
.....
.....

contrary to clause of the *Parking and Parking Facilities Local Law 2008*.
You are required under section 9.13 of the *Local Government Act 1995* to identify the person who was the driver or person in charge of the vehicle at the time when the offence is alleged to have been committed.

- If you do not prove otherwise, you will be deemed to have committed the offence unless:
- (a) within 28 days after being served with this notice:
 - (i) you inform the Chief Executive Officer or another authorised officer of the local government as to the identity and address of the person who was the driver or person in charge of the vehicle at the time the offence is alleged to have been committed; and
 - (ii) you satisfy the Chief Executive Officer that the vehicle had been stolen, or was being unlawfully used, at the time the offence is alleged to have been committed;
 - or
 - (b) you were given an infringement notice for the alleged offence and the modified penalty specified in it is paid within 28 days after the notice was given or such further time as is allowed.

(5).....
(6).....

- Insert:
- (1) Name of owner or 'the owner'
 - (2) Address of owner (not required if owner not named)
 - (3) Time of alleged offence
 - (4) Location of alleged offence
 - (5) Signature of authorised person
 - (6) Name and title of authorised person giving notice

Schedule 3
Local Government Act 1995

Form 2
PARKING AND PARKING FACILITIES LOCAL LAW 2008
INFRINGEMENT NOTICE

Serial No.

Date / /

To: (1).....

of: (2)

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

at (4)

in respect of vehicle:

make: ;

model: ;

registration:,

you committed the following offence:

.....
.....
.....

contrary to clause of the *Parking and Parking Facilities Local Law 2008*.

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, the amount of the modified penalty may be paid to an authorised person at (5) within a period of 28 days after the giving of this notice.

If you take no action this infringement notice may be registered with the Fines Enforcement Registry after which your driver's licence or any vehicle licence held by you may be suspended. If the matter is registered with the Registry additional costs will also be payable.

If the above address is not your current address, or if you change your address, it is important that you advise us immediately. Failure to do so may result in your driver's licence or any vehicle licence you hold being suspended without your knowledge.

(6).....

(7).....

Insert:

- (1) Name of alleged offender or 'the owner'
- (2) Address of alleged offender
- (3) Time of alleged offence
- (4) Location of alleged offence
- (5) Place where modified penalty may be paid
- (6) Signature of authorised person
- (7) Name and title of authorised person giving notice

Schedule 3
Local Government Act 1995

Form 3
PARKING AND PARKING FACILITIES LOCAL LAW 2008
INFRINGEMENT NOTICE

Serial No.

Date / /

To: (1).....

of: (2)

It is alleged that on / / at (3).....
at (4)

in respect of vehicle:

make: ;

model: ;

registration:,

you committed the following offence:

.....
.....
.....

contrary to clause of the *Parking and Parking Facilities Local Law 2008*.

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, the amount of the modified penalty may be paid to an authorised person at (5) within a period of 28 days after the giving of this notice.

Unless within 28 days after being served with this notice:

(a) you pay the modified penalty; or

(b) you:

(i) inform the Chief Executive Officer or another authorised officer of the local government 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 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, in the absence of proof to the contrary, be deemed to have committed the above offence and court proceedings may be instituted against you.

If you take no action this infringement notice may be registered with the Fines Enforcement Registry after which your driver's licence or any vehicle licence held by you may be suspended. If the matter is registered with the Registry additional costs will also be payable.

If the above address is not your current address, or if you change your address, it is important that you advise us immediately. Failure to do so may result in your driver's licence or any vehicle licence you hold being suspended without your knowledge.

(6)

(7)

Insert:

- (1) Name of owner or 'the owner'
- (2) Address of owner (not required if owner not named)
- (3) Time of alleged offence
- (4) Location of alleged offence
- (5) Place where modified penalty may be paid
- (6) Signature of authorised person
- (7) Name and title of authorised person giving notice

Schedule 3
Local Government Act 1995

Form 4
PARKING AND PARKING FACILITIES LOCAL LAW 2008
WITHDRAWAL OF INFRINGEMENT NOTICE

Serial No.

Date / /

To: (1).....,

of: (2)

Infringement Notice No. dated / /

in respect of vehicle:

make:

model:

registration:

for the alleged offence of

.....
.....
.....
has been withdrawn.

The modified penalty of \$

- * has been paid and a refund is enclosed.
- * has not been paid and should not be paid.
- * *delete as appropriate.*

(3)

(4).....

Insert:

- (1) Name of alleged offender to whom infringement notice was given or 'the owner'.
- (2) Address of alleged offender.
- (3) Signature of authorised person
- (4) Name and title of authorised person giving notice

Schedule 4
PARKING AND PARKING FACILITIES LOCAL LAW 2008
DEEMED PARKING STATIONS

- (1) Swan TAFE, Bentley Campus – Hayman Road, Bentley;
- (2) Canning College – Marquis Street, Bentley;
- (3) Centro Victoria Park Shopping Centre – 366 Albany Highway, Victoria Park;
- (4) Burswood Entertainment Complex and Burswood Park – Great Eastern Highway, Burswood.

Dated this 19.th day of December 2008.

The Common Seal of the)
Town of Victoria Park was affixed in)
the presence of)

.....
T. S. VAUGHAN
Mayor.

.....
J. M. BONKER
Chief Executive Officer.

SCHEDULE OF AMENDMENTS

Date of Council Resolution	Date of Gazettal	Details of Amendments
24 th November 2009	1 st December 2009 (No. 218)	<i>Town of Victoria Park Parking and Parking Facilities Amendment Local Law 2009</i> Delete the definition of " median strip " and insert— " median strip " has the meaning given to it by the Code;