

Charters Towers Regional Council

Subordinate Local Law No. 5 (Parking) 2011

CONSOLIDATED VERSION NO. 1

As in force on 21 July 2021

Adopted by Charters Towers Regional Council on 21 July 2021 pursuant to section 32 of the *Local Government Act 2009*

Subordinate Local Law No. 5 (Parking) 2011

Contents

| | | |
|-------------------|---|-----------|
| Part 1 | Preliminary..... | 3 |
| 1 | Short title..... | 3 |
| 2 | Purpose and how it is to be achieved..... | 3 |
| 3 | Authorising local law | 3 |
| 4 | Definitions | 3 |
| Part 2 | Declaration of parking areas for the TORUM Act | 3 |
| 5 | Declaration of traffic areas—Authorising local law, s 5 | 3 |
| 6 | Declaration of off-street regulated parking areas—Authorising local law, s 6..... | 4 |
| Part 3 | Parking contrary to parking restriction | 4 |
| 7 | Parking permits issued by local government—Authorising local law, s 7(2) | 4 |
| 8 | Commercial vehicle identification labels—Authorising local law, s 8(2) | 4 |
| Part 4 | Minor traffic offence infringement notice penalties | 5 |
| 9 | Infringement notice penalty amounts—Authorising local law, s 9 | 5 |
| Schedule 1 | Declaration of traffic area | 6 |
| Schedule 2 | Declaration of off-street regulated parking areas | 7 |
| Schedule 3 | Infringement notice penalty amounts for certain minor traffic offences | 8 |
| Schedule 4 | Dictionary..... | 12 |
| Endnotes | | 13 |

Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 5 (Parking) 2011*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 5 (Parking) 2011*, which provides for the exercise of local government powers authorised under the TORUM Act.
- (2) The purpose is to be achieved by providing for—
 - (a) the establishment of traffic areas and off-street regulated parking areas; and
 - (b) the persons that may be issued with a parking permit; and
 - (c) the vehicles that may be issued with a commercial vehicle identification label; and
 - (d) the infringement notice penalty amounts for minor traffic offences.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 5 (Parking) 2011* (the **authorising local law**).

4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 4 defines particular words used in this subordinate local law.

Part 2 Declaration of parking areas for the TORUM Act

5 Declaration of traffic areas—Authorising local law, s 5

- (1) For section 5(1) of the authorising local law, the whole local government area is declared to be a traffic area.
- (2) For section 5(2) of the authorising local law, the boundaries of each traffic area are indicated by bold lines circumscribing the hatched areas on the map in schedule 1.

6 Declaration of off-street regulated parking areas—Authorising local law, s 6

- (1) For section 6(1) of the authorising local law, each area of land indicated by hatching in the map in schedule 2 is declared to be an off-street regulated parking area.
- (2) For section 6(2) of the authorising local law, the boundaries of each off-street regulated parking area are indicated by bold lines circumscribing the hatched areas on the map in schedule 2.

Part 3 Parking contrary to parking restriction**7 Parking permits issued by local government—Authorising local law, s 7(2)**

- (1) For section 7(2) of the authorising local law, the following persons may be issued with a parking permit mentioned in section 7(1) of the authorising local law—

Temporary Parking Permit

- (a) the applicant is engaged in some temporary activity affecting premises immediately adjacent to the designated parking space or spaces to which the application relates; or
- (b) the applicant has been granted approval under another local law for a temporary entertainment event, where the permit is necessary for the purposes of holding the temporary entertainment event; or
- (c) the applicant has been granted approval under another local law for the commercial use of a local government controlled area, where the permit is necessary to undertake this commercial use;

Works Zone Parking Permit

- (d) the part of the road to which the application relates is adjacent to a site at which the person is proposing to undertake building or construction work.

8 Commercial vehicle identification labels—Authorising local law, s 8(2)

- (1) For section 8(2) of the authorising local law, the following vehicles may be issued with a commercial vehicle identification label mentioned in section 8(1) of the authorising local law and described in the definitions section of this subordinate local law—
- (2) A vehicle may be issued with a commercial vehicle identification label if the vehicle—
 - (a) is used for carrying on a business that requires the regular use of loading zones.

Part 4 Minor traffic offence infringement notice penalties

9 Infringement notice penalty amounts—Authorising local law, s 9

For section 9 of the authorising local law, the infringement notice penalty amount¹ for an offence mentioned in column 1 of schedule 3 is the corresponding amount stated in column 2 of schedule 3.

¹ See section 5 of the *Penalties and Sentences Act 1992*. The value of a penalty unit is, for a local law, or an infringement notice under the *State Penalties Enforcement Act 1999* for an offence against a local law—the amount, not more than \$100.00, prescribed under a regulation. See section 2A of the *Penalties and Sentences Regulation 2005*. The value of the penalty unit for a local law made by a local government mentioned in schedule 2 of the Regulation, or an infringement notice under the *State Penalties Enforcement Act 1999* for an offence against a local law made by a local government mentioned in schedule 2 of the Regulation is \$75.00. The value of a penalty unit for a local law made by a local government not mentioned in schedule 2 of the Regulation, or an infringement notice under the *State Penalties Enforcement Act 1999* for an offence against a local law made by a local government not mentioned in schedule 2 of the Regulation, is \$100.00.

Section 5



Schedule 2 Declaration of off-street regulated parking areas

Section 6



Schedule 3 Infringement notice penalty amounts for certain minor traffic offences

Section 9

| Column 1 | | Column 2 |
|--|---|--|
| <i>Transport Operations (Road Use Management) Act 1995 provision</i> | Minor Traffic Offence | Infringement notice penalty amount |
| 106(1)(a)(i) | Parking a vehicle in a designated parking space unless a parking meter or parkatarea installed for the space indicates that the parking fee has been paid | 0.5 penalty units |
| 106(1)(a)(ii) | Parking a vehicle in a designated parking space unless the person has done what is required by an authorised system that applies in relation to the space | 0.5 penalty units |
| 106(1)(b) | Parking a vehicle in a designated parking space for a time longer than the maximum time indicated on the official traffic sign installed for the space | 0.5 penalty units |
| 106(1)(c) | Parking a vehicle in a designated parking space if another vehicle is parked in the space | 0.5 penalty units |
| 106(1)(d) | Parking a vehicle in a designated parking space so that the vehicle is not wholly within the space | 0.5 penalty units |

| Column 1 | | Column 2 |
|--|--|--|
| <i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i> | Minor Traffic Offence | Infringement notice penalty amount |
| 167 | Stopping on a length of road or in an area to which a no stopping sign applies | 0.5 penalty units |
| 169 | Stopping at the side of a road marked with a continuous yellow edge line | 0.5 penalty units |

| Column 1 | | Column 2 |
|--|---|--|
| <i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i> | Minor Traffic Offence | Infringement notice penalty amount |
| 170(1) | Stopping in an intersection | 0.5 penalty units |
| 170(2) | Stopping within 20m of an intersection with traffic lights unless permitted by a sign | 0.5 penalty units |
| 170(4)(a) | Stopping within 10m of an intersection without traffic lights unless permitted by a sign | 0.5 penalty units |
| 172(1) | Stopping within 20m before a pedestrian crossing that is not at an intersection otherwise than as permitted by a sign | 0.5 penalty units |
| 172(1) | Stopping within 10m after a pedestrian crossing that is not at an intersection otherwise than as permitted by a sign | 0.5 penalty units |
| 176(1) | Stopping on a road contrary to a clearway sign | 0.5 penalty units |
| 179(1) | Stopping an unauthorised vehicle in a loading zone | 0.5 penalty units |
| 179(2)(a) | Authorised driver stopping in a loading zone for longer than 30 mins | 0.5 penalty units |
| 179(2)(b) | Authorised driver stopping in a loading zone for longer than permitted by a sign | 0.5 penalty units |
| 181 | Unauthorised driver stopping in a works zone | 0.5 penalty units |
| 182(1) | Stopping an unauthorised vehicle in a taxi zone | 0.5 penalty units |
| 183(1) | Stopping an unauthorised vehicle in a bus zone | 0.5 penalty units |

| Column 1 | | Column 2 |
|--|--|--|
| <i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i> | Minor Traffic Offence | Infringement notice penalty amount |
| 183(1) | Stopping a bus in a bus zone contrary to a bus zone sign | 0.5 penalty units |
| 185(1) | Stopping an unauthorised vehicle in a permit zone | 0.5 penalty units |
| 186(1) | Stopping in a mail zone | 0.5 penalty units |
| 189(1)(a) | Stopping on a two way road between the centre of the road and another vehicle parked at the side of the road | 0.5 penalty units |
| 191 | Stopping on a road so as to obstruct traffic | 0.5 penalty units |
| 195(1) | Stopping within 20m before a bus stop unless permitted by a sign | 0.5 penalty units |
| 195(1) | Stopping within 10m after a bus stop unless permitted by a sign | 0.5 penalty units |
| 197(1) | Stopping on a bicycle path, footpath, shared path or dividing strip or a nature strip adjacent to a length of road in a built-up area unless permitted by a sign | 0.5 penalty units |
| 198(2) | Stopping on or across a driveway unless dropping off or picking up, passengers | 0.5 penalty units |
| 199 | Stopping near a postbox | 0.5 penalty units |
| 202 | Stopping contrary to a motorbike parking sign | 0.5 penalty units |
| 203(1) | Stopping contrary to a people with disabilities parking sign | 1 penalty unit |
| 205(1)(a) | Parking for longer than the period indicated on a permissive parking sign | 0.5 penalty units |

| Column 1 | | Column 2 |
|--|---|--|
| <i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i> | Minor Traffic Offence | Infringement notice penalty amount |
| 208(1) | Parking on a two way road other than parallel and as near as practicable to the far left side of the road | 0.5 penalty units |
| 208(1) | Parking on a one way road other than to the far left or far right of the road unless permitted by a sign | 0.5 penalty units |
| 208(1) | Parking within 3m of a continuous dividing line or dividing strip unless permitted by a sign. | 0.5 penalty units |
| 210(1) | Angle parking - failing to properly position the vehicle. | 0.5 penalty units |
| 211(2) | Parking otherwise than completely within the confines of a parking bay | 0.5 penalty units |
| Part 12 | Other parking offences provided for in Part 12 (Restrictions on stopping and parking) | 0.5 penalty units |

Schedule 4 Dictionary

Section 4

local government works parking permit see section 7(5).

temporary parking permit see section 7(2).

works zone parking permit see section 7(4).

Endnotes

1 Key

Key abbreviations in list of amending local laws and annotations

| Key | Explanation | Key | Explanation |
|------|--------------|-------|---------------|
| amd | = amended | prec | = preceding |
| amdt | = amendment | prev | = previous |
| ch | = chapter | prov | = provision |
| def | = definition | pt | = part |
| div | = division | renum | = renumbered |
| hdg | = heading | rep | = replaced |
| ins | = inserted | s | = section |
| num | = numbered | sch | = schedule |
| om | = omitted | sdiv | = subdivision |
| p | = page | sub | = substituted |
| para | = paragraph | unnum | = unnumbered |

2 Date to which amendments incorporated

This consolidated version includes all amendments that commenced operation on or before 21 July 2021.

3 Table of consolidated versions

| Consolidated Version No. | Amendments included | Effective | Notes |
|-----------------------------|--|--------------|-------|
| 1 | Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2021 | 21 July 2021 | |

4 List of amending local laws

Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2021

date of Council resolution 21 July 2021

date notified in the gazette 30 July 2021

commenced on date of notification

5 List of annotations

Part 2 (Declaration of parking areas for the TORUM Act)

s5(1) amd 2021 No. 1 s33

s6(2) amd 2021 No. 1 s34

Part 3 (Parking contrary to parking restrictions)

s7 rep 2021 No. 1 s35

s8(1) amd 2021 No. 1 s36(1)

s8(2) amd 2021 No. 1 s36(2) and s36(3)

Schedule 1 (Declaration of traffic area)

rep 2021 No. 1 s37

Schedule 2 (Declaration of off-street regulated parking areas)

rep 2021 No. 1 s38

Schedule 4 (Definitions)

amd 2021 No. 1 s39