



Subordinate Local Law No. 5 (Parking) 2011

CONSOLIDATED VERSION NO. 1

as in force on 2 March 2018

adopted by Lockyer Valley Regional Council on 28 February 2018 pursuant to section 32 of the *Local Government Act 2009*

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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, each part of the local government area indicated by hatching in the maps in schedule 1 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 maps 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) This section prescribes –
 - (a) the persons that may be issued with a parking permit mentioned in section 7(1) of the authorising local law; and
 - (b) the circumstances in which the parking permits may be issued.
- (2) A parking permit (a *community service organisation parking permit*) may be issued to a person whose circumstances are as follows –
 - (a) the person is a community service organisation¹; and
 - (b) the person will use the parking permit for an activity which is consistent with the objects of the community service organisation; and
 - (c) the activity is undertaken on a section of road where –
 - (i) parking is regulated by time; and
 - (ii) the issue of the parking permit would not unduly impede the flow of traffic either on the road or in the area.
- (3) A parking permit (a *temporary parking permit*) may be issued to allow the holder of the parking permit, or its customers who satisfy the requirements of section 7(4) below, to park 1 or more vehicles in a designated parking space or spaces for a period specified in the parking permit despite an indication on an official traffic sign to the contrary and despite the fact that paid parking may otherwise apply to the space or spaces.
- (4) A temporary parking permit may only be granted if the local government is satisfied that –
 - (a) the applicant is –
 - (i) engaged in some temporary business activity affecting premises immediately adjacent to, or in the vicinity of, the designated parking space or spaces to which the application or permit relates; or
 - (ii) the applicant is a recognised business operator and from time to time its customers or clientele will be engaged in a business activity with the applicant for a period of time in excess of the regulated parking time limits; and

¹ See definition of *community service organization* in the dictionary.

- (b) it is not reasonably practical for the applicant to carry out the activity unless the designated parking space or spaces to which the application or permit relates may be allocated to the exclusive use of the applicant, or its customers, for the duration of the business activity.
- (5) A parking permit (a *works zone parking permit*) may be issued to a person if the local government is satisfied that –
- (a) 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; and
 - (b) the carrying out of the building or construction work is lawful; and
 - (c) having regard to the nature of the building or construction work and the characteristics of the site, it is not reasonably practical for all work activity involving vehicle loading and unloading and associated vehicle movements to be confined within the site.

Part 4 Minor traffic offence infringement notice penalties

8 Infringement notice penalty amounts – Authorising local law, s 9

For section 9 of the authorising local law, the infringement notice penalty amount² for an offence mentioned in column 1 of schedule 3 is the corresponding amount stated in column 2 of schedule 3.

² See sections 5 and 5A 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 prescribed under a regulation. See section 3 of the *Penalties and Sentences Regulation 2015*. 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 \$126.15 or such other amount prescribed under a regulation.

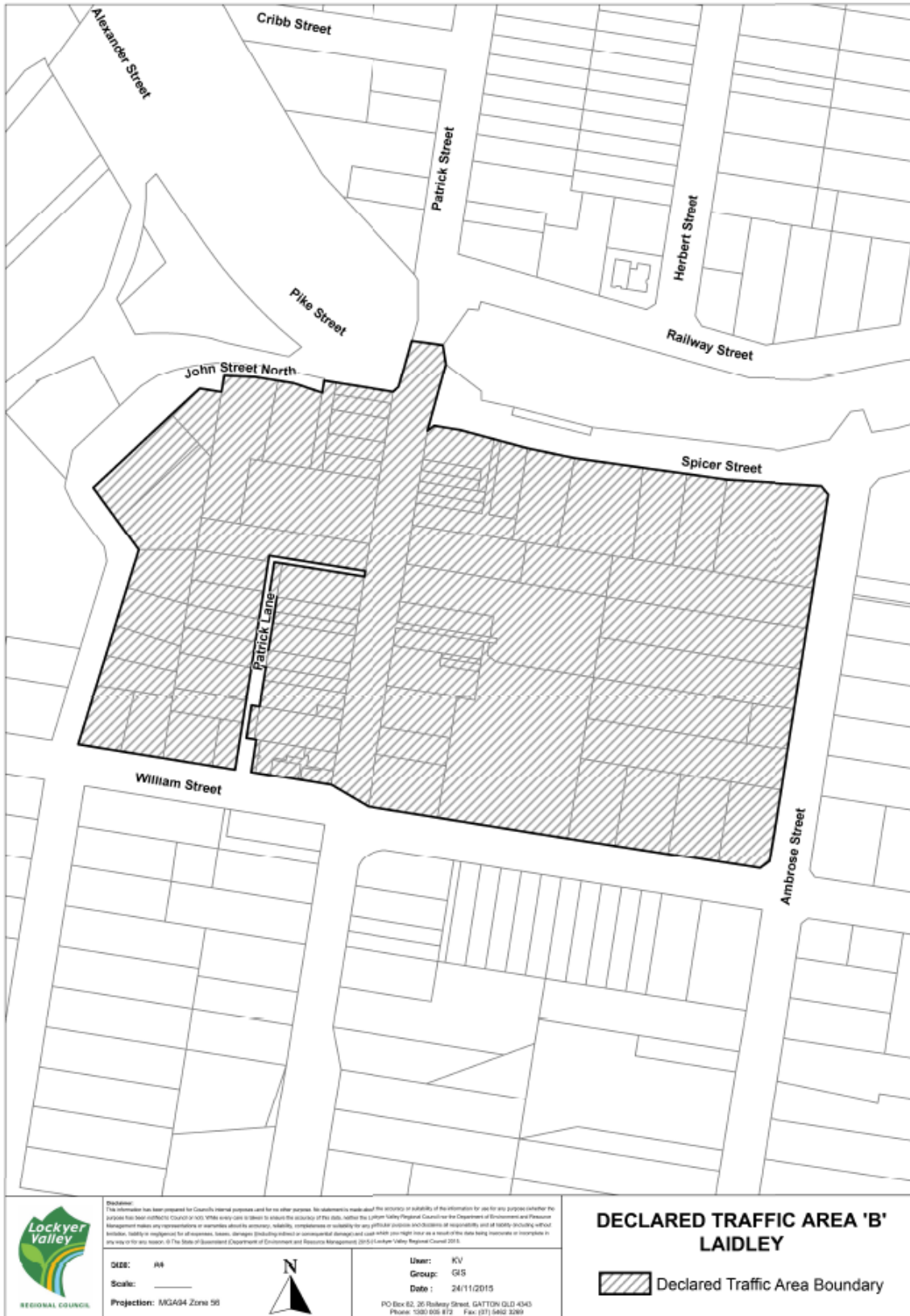
Schedule 1 Declaration of traffic area

Section 5

Declared Traffic Area 'A'



Declared Traffic Area 'B'



Schedule 2 Declaration of off-street regulated parking areas

Section 6

No off-street regulated parking area declared.

Schedule 3 Infringement notice penalty amounts for certain minor traffic offences

Section 8

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	1 penalty unit
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	1 penalty unit
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	1 penalty unit
106(1)(c)	Parking a vehicle in a designated parking space if another vehicle is parked in the space	1 penalty unit
106(1)(d)	Parking a vehicle in a designated parking space so that the vehicle is not wholly within the space	1 penalty unit

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	1 penalty unit
169	Stopping at the side of a road marked with a continuous yellow edge line	1 penalty unit
170(1)	Stopping in an intersection	1 penalty unit
170(2)	Stopping within 20m of an intersection with traffic lights unless permitted by a sign	1 penalty unit

Column 1		Column 2
<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	Minor Traffic Offence	Infringement notice penalty amount
170(4)(a)	Stopping within 10m of an intersection without traffic lights unless permitted by a sign	1 penalty unit
172(1)	Stopping within 20m before a pedestrian crossing that is not at an intersection otherwise than as permitted by a sign	1 penalty unit
172(1)	Stopping within 10m after a pedestrian crossing that is not at an intersection otherwise than as permitted by a sign	1 penalty unit
176(1)	Stopping on a road contrary to a clearway sign	1 penalty unit
179(1)	Stopping an unauthorised vehicle in a loading zone	1 penalty unit
179(2)(a)	Authorised driver stopping in a loading zone for longer than 30 mins	1 penalty unit
179(2)(b)	Authorised driver stopping in a loading zone for longer than permitted by a sign	1 penalty unit
181	Unauthorised driver stopping in a works zone	1 penalty unit
182(1)	Stopping an unauthorised vehicle in a taxi zone	2 penalty units
183(1)	Stopping an unauthorised vehicle in a bus zone	1 penalty unit
183(1)	Stopping a bus in a zone contrary to a bus zone sign	1 penalty unit
185(1)	Stopping an unauthorised vehicle in a permit zone	1 penalty unit
186(1)	Stopping in a mail zone	1 penalty unit
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	1 penalty unit
191	Stopping on a road so as to obstruct traffic	1 penalty unit
195(1)	Stopping within 20m before a bus stop unless permitted by a sign	1 penalty unit
195(1)	Stopping within 10m after a bus stop unless permitted by a sign	1 penalty unit

Column 1		Column 2
<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	Minor Traffic Offence	Infringement notice penalty amount
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	1 penalty unit
198(2)	Stopping on or across a driveway unless dropping off or picking up, passengers	1 penalty unit
199	Stopping near a postbox	1 penalty unit
202	Stopping contrary to a motorbike parking sign	1 penalty unit
203(1)	Stopping contrary to a people with disabilities parking sign	2 penalty units
205(1)(a)	Parking for longer than the period indicated on a permissive parking sign	1 penalty unit
208(1)	Parking on a two way road other than parallel and as near as practicable to the far left side of the road	1 penalty unit
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	1 penalty unit
208(1)	Parking within 3m of a continuous dividing line or dividing strip unless permitted by a sign	1 penalty unit
210(1)	Angle parking – failing to properly position the vehicle	1 penalty unit
211(2)	Parking otherwise than completely within the confines of a parking bay	1 penalty unit
Part 12	Other parking offences provided for in Part 12 (Restrictions on stopping and parking)	1 penalty unit

Schedule 4 Dictionary

Section 4

business activity means any activity undertaken by appointment and in the ordinary course of business between an applicant and either the business operator or a customer which would ordinarily exceed regulated parking time limits, including but not limited to:

- (a) medical appointments; or
- (b) court appearances; or
- (c) real estate viewings; or
- (d) hairdressing appointments; or
- (e) any other activities reasonably considered by an authorised person to fall within this definition and intent.

community service organisation means an association incorporated under the *Associations Incorporation Act 1981* which has as the main purpose of its objects, making financial gain for community service, charitable or similar purposes.

community service organisation parking permit see section 7(2).

recognised business operator means an applicant recognised by an authorised person as a person who, in the course of their ordinary business, regularly undertakes business activities with a customer for a period exceeding regulated parking time limits and for which temporary parking permits are issued to the business operator for use by its customers.

temporary parking permit see section 7(3).

works zone parking permit see section 7(5).

Endnotes

Key

Key to abbreviations in list of amendments

Key	Explanation
amd =	amended
ch =	chapter
def =	definition
div =	division
hdg =	heading
ins =	inserted
om =	omitted
pt =	part
renum =	renumbered
rep =	repealed
s =	section
sch =	schedule
sub =	substituted

List of annotations

PART 2		DECLARATION OF PARKING AREAS FOR THE TORUM ACT
s 5(1)	amd	<i>Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Law) 2017 s 10</i>
s 5(2)	amd	<i>Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Law) 2017 s 10</i>
PART 3		PARKING CONTRARY TO PARKING RESTRICTION
s 7(3)	amd	<i>Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Law) 2017 s 11</i>
s 7(4)(a)	amd	<i>Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Law) 2017 s 11</i>
s 7 (4)(b)	amd	<i>Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Law) 2017 s 11</i>
PART 4		MINOR TRAFFIC OFFENCE INFRINGEMENT NOTICE PENALTIES
s 8	amd	<i>Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Law) 2017 s 12</i>

SCHEDULE 1	DECLARATION OF TRAFFIC AREA
sch amd	<i>Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Law) 2017 s 13</i>
SCHEDULE 3	INFRINGEMENT NOTICE PENALTY AMOUNTS FOR CERTAIN MINOR TRAFFIC OFFENCES
sch amd (s182(1) penalty amount)	<i>Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Law) 2017 s 14</i>
SCHEDULE 4	DICTIONARY
def ins (business activity)	<i>Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Law) 2017 s 15</i>
def ins (recognised business operator)	<i>Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Law) 2017 s 15</i>