

# Subordinate Local Law No. 5 (Parking) 2022

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## Part 1 Preliminary

### 1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 5 (Parking) 2022*.

### 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) 2022*, 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 who 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) 2022* (the *authorising local law*).

### 4 Definitions

Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.

## Part 2 Declaration of parking areas for the TORUM Act

### 5 Declaration of traffic areas – Authorising Local Law s5

For section 5(1) of the authorising local law, no part of the local government area is declared to be a traffic area.

### 6 Declaration of off-street regulated parking areas – Authorising Local Law s6

For section 6(1) of the authorising local law, no area of land is declared to be an off-street regulated parking area.

## Part 3 Parking contrary to parking restriction

### 7 Parking permits issued by local government – Authorising Local Law s7(2)

For section 7(2) of the authorising local law, no person is prescribed as a person that may be issued with a parking permit.

**8 Commercial vehicle identification labels – Authorising Local Law s8(2)**

For section 8(2) of the authorising local law, no vehicle is prescribed as a vehicle that may be issued with a commercial vehicle identification label.

**Part 4 Minor traffic offence infringement notice penalties**

**9 Infringement notice penalty amounts – Authorising Local Law s9**

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

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<sup>1</sup> See section 5 of the *Penalties and Sentences Act 1992*.

## Schedule 1 Infringement notice penalty amounts for certain minor parking offences

Section 9


| Column 1   |   | Column 2                                 |
|--|---|--|
| <i>Transport Operations<br/>(Road Use Management) Act 1995<br/>provision</i> | Minor Traffic Offence   | Infringement<br>notice penalty<br>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 | 0.55 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 | 0.55 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    | 0.55 penalty units                       |
| 106(1)(c)  | Parking a vehicle in a designated parking space if another vehicle is parked in the space   | 0.55 penalty units                       |
| 106(1)(d)  | Parking a vehicle in a designated parking space so that the vehicle is not wholly within the space  | 0.55 penalty units                       |

| Column 1   |  | Column 2                                 |
|--|--|--|
| <i>Transport Operations<br/>(Road Use Management<br/>– Road Rules)<br/>Regulation 2009<br/>provision</i> | Minor Traffic Offence  | Infringement<br>notice penalty<br>amount |
| 167  | Stopping on a length of road or in an area to which a no stopping sign applies | 0.7 penalty units                        |
| 168  | Stopping on a length of road or in an area to which a no parking sign applies  | 0.7 penalty units                        |

| <b>Column 1</b>   |  | <b>Column 2</b>                                   |
|---|--|---|
| <b><i>Transport Operations<br/>(Road Use Management<br/>– Road Rules)<br/>Regulation 2009<br/>provision</i></b> | <b>Minor Traffic Offence</b>   | <b>Infringement<br/>notice penalty<br/>amount</b> |
| 169   | Stopping at the side of a road marked with a continuous yellow edge line   | 0.7 penalty units                                 |
| 173   | Unauthorised stopping on a marked foot crossing  | 0.7 penalty units                                 |
| 179(1)  | Stopping an unauthorised vehicle in a loading zone   | 0.7 penalty units                                 |
| 179(2)(a)   | Authorised driver stopping in a loading zone for longer than 30 mins   | 0.7 penalty units                                 |
| 179(2)(b)   | Authorised driver stopping in a loading zone for longer than permitted by a sign   | 0.7 penalty units                                 |
| 182(1)  | Stopping an unauthorised vehicle in a taxi zone  | 0.7 penalty units                                 |
| 183(1)  | Stopping an unauthorised vehicle in a bus zone   | 0.7 penalty units                                 |
| 195(1)  | Stopping within 20m before a bus stop unless permitted by a sign   | 0.7 penalty units                                 |
| 195(1)  | Stopping within 10m after a bus stop unless permitted by a sign  | 0.7 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 | 0.7 penalty units                                 |
| 198(2)  | Stopping on or across a driveway unless dropping off or picking up, passengers   | 0.7 penalty units                                 |
| 200(2)  | Stopping a heavy vehicle or long vehicle on a length of road in a built-up area for longer than 1 hour   | 1 penalty unit                                    |

| Column 1  |   | Column 2  |
|---|---|---|
| <b><i>Transport Operations<br/>(Road Use Management<br/>– Road Rules)<br/>Regulation 2009<br/>provision</i></b> | <b>Minor Traffic Offence</b>  | <b>Infringement<br/>notice penalty<br/>amount</b> |
| 203(1)  | Stopping contrary to a people with disabilities parking sign                          | 4 penalty units                                   |
| 205(1)(a)   | Parking for longer than the period indicated on a permissive parking sign             | 0.55 penalty units                                |
| Part 12   | Other parking offences provided for in Part 12 (Restrictions on stopping and parking) | 0.7 penalty units                                 |

This and the preceding 5 pages bearing my initials is a certified copy of *Subordinate Local Law No. 5 (Parking) 2022* made in accordance with the provisions of the *Local Government Act 2009* by Banana Shire Council by resolution dated the 23<sup>rd</sup> day of February, 2022.

  
 .....  
 Chief Executive Officer