

# North Burnett Regional Council Subordinate Local Law No. 5 (Parking) 2011

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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 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

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, s 5

- (1) For section 5(1) of the authorising local law, each part of the local government area indicated by hatching in the map 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 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)**

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—

- (a) a community service organisation which undertakes a temporary activity that is consistent with the objectives of the community service organisation;
- (b) a person who is engaged in a temporary activity affecting premises immediately adjacent to the designated parking space or spaces to which the application for a permit relates;
- (c) a person who is undertaking building or construction work in the following circumstances—
  - i. the part of the road to which the application relates is adjacent to the site of the proposed building or construction work; and
  - ii. the carrying out of the building or construction work is lawful; and
  - iii. having regard to the nature of the building or construction work and the characteristics of the site of the work, it is not reasonably practical for all work activity involving vehicle loading and unloading and associated vehicle movements to be confined within the site;
- (d) a person whose ability to park in the immediate vicinity of their residence has been affected by a road closure or other activity.

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

For section 8(2) of the authorising local law, a commercial vehicle identification label mentioned in section 8(1) of the authorising local law may be issued to a vehicle that—

- (a) is permanently sign written (painted) or displaying a magnetic or other sticker so as to clearly indicate to the local government that the vehicle is being used in connection with a business; and
- (b) is used for carrying on a business; and
- (c) requires the regular use of loading zones.

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**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 amount for an offence mentioned in column 1 of schedule 3 is the corresponding amount stated in column 2 of schedule 3.

**Part 5**                      **Miscellaneous**

*This part in the authorising local law does not contain any matters to be provided for by subordinate local law.*

## **Schedule 1      Declaration of traffic areas**

section 5

*This schedule has been intentionally left blank.*

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**Schedule 2      Declaration of off-street regulated parking  
                         areas**

section 6

*This schedule has been intentionally left blank.*

### Schedule 3 Infringement notice penalty amounts for certain minor traffic offences

section 9

	<b>Column 1 Minor traffic offence</b>	<b>Column 2 Infringement notice penalty amount</b>
1	<i>Transport Operations (Road Use Management) Act 1995, section 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)</i>	<i>0.5 penalty unit</i>
2	<i>Transport Operations (Road Use Management) Act 1995, section 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)</i>	<i>0.5 penalty unit</i>
3	<i>Transport Operations (Road Use Management) Act 1995, section 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)</i>	<i>0.5 penalty unit</i>
4	<i>Transport Operations (Road Use Management) Act 1995, section 106 (1)(c) (Parking a vehicle in a designated parking space if another vehicle is parked in the space)</i>	<i>0.5 penalty unit</i>
5	<i>Transport Operations (Road Use Management) Act 1995, section 106(1)(d) (Parking a vehicle in a designated parking space so that the vehicle is not wholly within the space)</i>	<i>0.5 penalty unit</i>
6	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 167 (Stopping on a length of road or in an area to which a no stopping sign applies)</i>	<i>1 penalty unit</i>
7	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 169 (Stopping at the side of a road marked with a continuous yellow edge line)</i>	<i>1 penalty unit</i>
8	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 section 170(1) Stopping in an intersection</i>	<i>0.5 penalty unit</i>
9	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 170(2) (Stopping within 20m of an intersection with traffic lights unless permitted by a sign)</i>	<i>1 penalty unit</i>
10	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 170(4)(a) (Stopping within 10m of an intersection without traffic lights unless permitted</i>	<i>1 penalty unit</i>

	by a sign)	
11	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 172(1) (Stopping within 20m before a pedestrian crossing that is not at an intersection otherwise than as permitted by a sign)</i>	<i>1 penalty unit</i>
12	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 172(1) (Stopping within 10m after a pedestrian crossing that is not at an intersection otherwise than as permitted by a sign)</i>	<i>1 penalty unit</i>
13	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 176(1) (Stopping on a road contrary to a clearway sign)</i>	<i>1 penalty unit</i>
14	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 179(1) (Stopping an unauthorised vehicle in a loading zone)</i>	<i>1 penalty unit</i>
15	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 179(2)(a) (Authorised driver stopping in a loading zone for longer than 30 mins)</i>	<i>1 penalty unit</i>
16	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 179(2)(b) (Authorised driver stopping in a loading zone for longer than permitted by a sign)</i>	<i>1 penalty unit</i>
17	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 181 (Unauthorised driver stopping in a works zone)</i>	<i>1 penalty unit</i>
18	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 182(1) (Stopping an unauthorised vehicle in a taxi zone)</i>	<i>1 penalty unit</i>
19	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 183(1) (Stopping an unauthorised vehicle in a bus zone)</i>	<i>2 penalty units</i>
20	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 183(1) (Stopping a bus in a bus zone contrary to a bus zone sign)</i>	<i>2 penalty units</i>
21	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 185(1) (Stopping an unauthorised vehicle in a permit zone)</i>	<i>1 penalty unit</i>
22	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 186(1) Stopping in a mail zone</i>	<i>1 penalty unit</i>
23	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 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)</i>	<i>1 penalty unit</i>



24	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 191 (Stopping on a road so as to obstruct traffic)</i>	<i>1 penalty unit</i>
25	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 195(1) (Stopping within 20m before a bus stop unless permitted by a sign)</i>	<i>1 penalty unit</i>
26	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 195(1) (Stopping within 10m after a bus stop unless permitted by a sign)</i>	<i>1 penalty unit</i>
27	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 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)</i>	<i>1 penalty unit</i>
28	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 198(2) (Stopping on or across a driveway unless dropping off or picking up, passengers)</i>	<i>1 penalty unit</i>
29	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 199 (Stopping near a postbox)</i>	<i>1 penalty unit</i>
30	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 202 (Stopping contrary to a motorbike parking sign)</i>	<i>0.5 penalty unit</i>
31	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 203(1) (Stopping contrary to a people with disabilities parking sign)</i>	<i>2 penalty units</i>
32	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 205(1)(a) (Parking for longer than the period indicated on a permissive parking sign)</i>	<i>0.5 penalty unit</i>
33	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 208(1) (Parking on a two way road other than parallel and as near as practicable to the far left side of the road)</i>	<i>0.5 penalty unit</i>
34	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 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)</i>	<i>0.5 penalty unit</i>
35	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 208(1) (Parking within 3m of a continuous dividing line or dividing strip unless permitted by a sign)</i>	<i>0.5 penalty unit</i>
36	<i>Transport Operations (Road Use Management – Road</i>	<i>0.5 penalty unit</i>

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	<i>Rules) Regulation 2009, section 210(1) (Angle parking – failing to properly position the vehicle)</i>	
37	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, section 211(2) (Parking otherwise than completely within the confines of a parking bay)</i>	<i>0.5 penalty unit</i>
38	<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009, part 12 (Other parking offences provided for in part 12 (Restrictions on stopping and parking))</i>	<i>1 penalty unit</i>

## **Certification by Chief Executive Officer**

This and the preceding ten (10) pages bearing my initials is a certified copy of Subordinate Local Law No. 5 (Parking) 2011 made, in accordance with the provisions of the *Local Government Act 2009* by the North Burnett Regional Council by resolution on 6 December 2011.

MJP PITT  
Chief Executive Officer