



Local Law No. 7

(Parking) 2003

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Acting Chief Executive Officer



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Contents

	Page
Part 1	
Preliminary	3
1 Short title.....	3
2 Application and object	3
3 Relationship to other laws	3
4 Definitions—the dictionary.....	4
Part 2	
Regulation of parking	4
Division 1 Traffic areas	4
5 Declaration of traffic area	4
6 Regulation of parking in a traffic area.....	4
7 General parking sign	5
8 Special parking sign	5
Division 2 Regulated parking	6
9 Parking on roads	6
10 Off-street regulated parking areas.....	6
11 Regulation of parking on roads or in off-street regulated parking areas	6
12 Installation of official traffic signs for regulated parking.....	7
Division 3 Temporary parking restrictions	8
13 Temporary parking restrictions	8
14 Duration of temporary prohibition or restriction	8
Division 4 Parking for people with disabilities	8
15 Local government's responsibility to people with disabilities	8
16 Parking under a parking permit for people with disabilities	9
Division 5 Local government parking permits	9
17 Issue of a permit.....	9
18 Persons to whom parking permits may be granted	9
19 Application for a permit.....	9
20 Term of a permit	10

21	Conditions of a permit.....	10
22	Amendment, renewal or transfer of a permit.....	10
23	Cancellation of a permit.....	11
24	Compliance with conditions of a permit.....	12
	Division 6 Offences	12
25	Parking infringement notice penalties	12
26	Interference with regulated parking	12
Part 3	Heavy vehicle parking on a road or in a public place	13
27	Restrictions on heavy vehicle parking on a road or in a public place.....	13
Part 4	Enforcement	14
28	Parking infringement notice	14
29	Compliance notice	14
30	Performance of work	15
Part 5	Administrative provisions	16
31	Executive officers must ensure the corporation complies with the local law.....	16
32	Owners must ensure compliance with the local law.....	16
33	Liability of third parties.....	17
34	Attempts to commit offences	18
35	Liability of local government	18
36	Defence	18
Part 6	Subordinate local laws.....	18
37	Subordinate local laws.....	18
Schedule 1	Parking infringement notice penalties.....	21
Schedule 2	Dictionary	23
Endnotes	28

Logan City Council

Local Law No. 7

(Parking) 2003

Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law No. 7 (Parking) 2003*.

2 Application and object

- (1) This local law and any subordinate local law made under this local law apply to the whole of the Logan City Council local government area.
- (2) The object of this local law is to provide for regulated parking in traffic areas, on roads and in off-street regulated parking areas in the local government area through—
 - (a) establishing and regulating parking in traffic areas, on roads and in off-street regulated parking areas; and
 - (b) fixing parking fees and regulating paid parking; and
 - (c) meeting the parking needs of people with disabilities; and
 - (d) giving the local government power to issue parking permits¹; and
 - (e) imposing temporary parking prohibitions and restrictions; and
 - (f) the regulation of heavy vehicle parking on roads and in public places in the local government area; and
 - (g) specifying for the purposes of a parking infringement notice, penalties for certain offences under State laws in respect of traffic management in the local government area.

3 Relationship to other laws

This local law is made pursuant to—

- (a) the *Transport Operations (Road Use Management) Act 1995* in the case of regulation of parking; and

¹ A parking permit issued by the local government under this local law is to be distinguished from a parking permit for people with disabilities (which is issued by Queensland Transport pursuant to section 111 (Parking permits for people with disabilities) of the *Transport Operations (Road Use Management) Act 1995*).

- (b) the *Local Government Act 2009* in the case of heavy vehicle parking on a road or in a public place.

4 Definitions—the dictionary

The dictionary in Schedule 2 (Dictionary) defines particular words used in this local law.

Part 2 Regulation of parking

Division 1 Traffic areas²

5 Declaration of traffic area

- (1) The local government may, by a subordinate local law—
 - (a) declare the whole or a part of its local government area to be a traffic area; or
 - (b) change the boundaries of a traffic area; or
 - (c) revoke the declaration of a traffic area.
- (2) The boundaries of a traffic area must be defined in the subordinate local law.
- (3) Notwithstanding section 5(1) (Declaration of traffic area) of this local law, the local government cannot regulate parking on a State-controlled road without the written approval of the chief executive of the department which administers Chapter 6 (Road Transport Infrastructure) of the *Transport Infrastructure Act 1994*.

6 Regulation of parking in a traffic area

- (1) The local government may, by a subordinate local law—
 - (a) restrict the time for which a person may park in a traffic area to a maximum time specified in a subordinate local law; and
 - (b) specify the times when the restriction applies, or does not apply, to parking in the traffic area.
- (2) The local government may, by a subordinate local law—
 - (a) restrict parking in the traffic area to paid parking at a place where the local government has provided for paid parking; and

² See section 102 (Parking regulation involves installing official traffic signs) of the *Transport Operations (Road Use Management) Act 1995*.

- (b) specify the times when the restriction applies, or does not apply, to parking in the traffic area.
- (3) The local government may, by a subordinate local law—
 - (a) prohibit parking in a traffic area; and
 - (b) specify the times when the prohibition applies, or does not apply, in the traffic area; and
 - (c) restrict parking in a traffic area in another way and specify the days and hours when the restriction applies.

Example of paragraph (c)—

A subordinate local law may restrict parking in designated parking spaces to the holder of a permit issued by the local government.

7 General parking sign

- (1) The local government must install a general parking sign on every road at the entry to a traffic area.³
- (2) A prohibition or restriction imposed on parking under subsection (1) takes effect on the installation of the relevant general parking sign indicating the prohibition or restriction.

8 Special parking sign

- (1) The local government may install a special parking sign within a particular part of a traffic area.⁴
- (2) A general parking sign applies subject to a special parking sign to parking in a part of a traffic area to which the special parking sign applies.⁵
- (3) A prohibition or restriction imposed on parking under subsection (1) takes effect on the installation of the relevant special parking sign indicating the prohibition or restriction.

³ Under section 102(6) (Parking regulation involves installing official traffic signs) of the *Transport Operations (Road Use Management) Act 1995* a person parking anywhere within a traffic area is taken to have notice of the contents of the official traffic sign installed at the road entries to the traffic area.

⁴ The special parking sign could be installed under Division 2 (Regulated parking areas) or Division 3 (Temporary parking restrictions) of Part 2 (Regulation of parking) of this local law or under some other law authorising regulation of parking.

⁵ See section 102(4) (Parking regulation involves installing official traffic signs) of the *Transport Operations (Road Use Management) Act 1995*.

Division 2 Regulated parking

9 Parking on roads

- (1) The local government may specify a particular road, or a specified part of a particular road, to be subject to parking restrictions.
- (2) Notwithstanding section 9(1) (Parking on roads) of this local law, the local government cannot regulate parking on a State-controlled road without the written approval of the chief executive of the department which administers Chapter 6 (Road Transport Infrastructure) of the *Transport Infrastructure Act 1994*.

10 Off-street regulated parking areas

- (1) The local government may, by subordinate local law, specify land, including structures on the land, whether or not it is controlled by the local government, as an off-street regulated parking area.⁶

Example of subsection (1)—

A local government may, under an arrangement with the owner of a shopping centre, specify a public parking area at the shopping centre as an off-street regulated parking area and regulate parking in the area under this local law.

- (2) Notwithstanding section 10(1) (Off-street regulated parking areas) of this local law, the local government cannot provide access to an off-street regulated parking area from a State-controlled road without the written approval of the chief executive of the department which administers Chapter 6 (Road Transport Infrastructure) of the *Transport Infrastructure Act 1994*.

11 Regulation of parking on roads or in off-street regulated parking areas

- (1) The local government may, by a subordinate local law, regulate parking on roads or in an off-street regulated parking area by—
 - (a) imposing parking fees for parking on a road or in an off-street regulated parking area, specifying the days and hours when paid parking applies and providing for payment of parking fees by parking meter, parkatarea or an authorised system; and
 - (b) restricting parking on a road or in an off-street regulated parking area to a specified maximum time (whether or not paid parking also applies on the road or in the off-street regulated parking area) and specifying the days and hours when the restriction applies; and

⁶ Land controlled by a local government includes land over which the local government may exercise control under an arrangement with a person who owns, or has an interest in, the land (see section 104(2) (Off-street regulated parking areas) of the *Transport Operations (Road Use Management) Act 1995*).

- (c) prohibiting parking in a specified part of a road or in an off-street regulated parking area; and
- (d) restricting parking on a road or in an off-street regulated parking area in another way and specifying the days and hours when the restriction applies.

Example of paragraph (d)—

A subordinate local law may restrict parking in designated parking spaces to the holder of a permit issued by the local government.

- (2) The local government may, by a subordinate local law, regulate—
 - (a) the denomination or number of coins to be inserted in a parking meter or parkatarea; and
 - (b) the method of payment in the case of an authorised system.

12 Installation of official traffic signs for regulated parking

- (1) If the local government, pursuant to section 9(1) of this local law, specifies a particular road, or specifies part of a particular road, to be subject to parking restrictions, the local government may install an official traffic sign for regulated parking on a road indicating—
 - (a) a designated parking space; and
 - (b) a restriction applying in a designated parking space and when the restriction applies; and
 - (c) where paid parking applies; and
 - (d) other restrictions on the regulation of parking in a regulated parking area.
- (2) The local government may install an official traffic sign for regulated parking in an off-street regulated parking area indicating—
 - (a) a designated parking space; and
 - (b) a restriction applying in a designated parking space and when the restriction applies; and
 - (c) where paid parking applies; and
 - (d) other restrictions on the regulation of parking in a regulated parking area.
- (3) A prohibition or restriction imposed on parking under sections 12(1) and (2) (Installation of official traffic signs for regulated parking) of this local law takes

effect on the installation of the relevant official traffic sign indicating the prohibition or restriction.⁷

Division 3 Temporary parking restrictions

13 Temporary parking restrictions

- (1) The local government may temporarily prohibit or restrict parking on a road where the local government is satisfied that a temporary prohibition or restriction on parking is necessary because of a particular event, or conditions temporarily applying in a particular part of the local government area.

Examples of subsection (1)—

- The local government may temporarily prohibit parking on a particular part of a road if building work that is being carried out on, or adjacent to, the road makes it impracticable to use the relevant part of the road for parking.
 - The local government may temporarily prohibit parking on a particular part of a road if the road is to be closed to traffic for the purpose of a festival or public assembly.
- (2) Notwithstanding section 13(1) (Temporary parking restrictions) of this local law, the local government cannot regulate parking on a State-controlled road without the written approval of the chief executive of the department which administers Chapter 6 (Road Transport Infrastructure) of the *Transport Infrastructure Act 1994*.

14 Duration of temporary prohibition or restriction

A temporary prohibition or restriction on parking imposed under section 13(1) (Temporary parking restrictions) of this local law takes effect when the local government installs the appropriate official traffic sign indicating the prohibition or restriction⁸.

Division 4 Parking for people with disabilities

15 Local government's responsibility to people with disabilities

In exercising its powers under this local law, the local government must have due regard to the special needs of people with disabilities.

⁷ Where a person does not comply with an official traffic sign an offence is committed under section 74 (Contravention of official traffic sign an offence) of the *Transport Operations (Road Use Management) Act 1995*.

⁸ The prohibition or restriction is enforceable under section 74 (Contravention of official traffic sign an offence) of the *Transport Operations (Road Use Management) Act 1995* which makes it an offence for a person to contravene an indication on an official traffic sign.

16 Parking under a parking permit for people with disabilities

A vehicle displaying a parking permit for people with disabilities may, subject to the conditions of the permit, be parked contrary to an indication on an official traffic sign regulating parking by time or payment of a fee.⁹

Division 5 Local government parking permits

17 Issue of a permit

The local government may grant a permit authorising a person to park—

- (a) in a designated parking space where parking is restricted to permit parking; or
- (b) in a traffic area, on a road or in an off-street regulated parking area contrary to an indication given by an official traffic sign.

18 Persons to whom parking permits may be granted

The local government may, by subordinate local law limit—

- (a) the classes of persons to whom parking permits may be granted; and
- (b) the circumstances in which parking permits may be granted.

19 Application for a permit

(1) An application for a permit must be—

- (a) made in the prescribed form; and
- (b) accompanied by—
 - (i) the name of the applicant; and
 - (ii) the prescribed fee; and
 - (iii) such other information and materials as are requested by the local government or specified in a subordinate local law.

(2) The local government may waive the requirements of section 19(1) (Application for a permit) of this local law—

- (a) in an emergency; or

⁹ See section 103(4)(a)(i) (Examples of how parking may be regulated) of the *Transport Operations (Road Use Management) Act 1995*.

- (b) if there are special reasons for dispensing with the requirements; or
- (c) in the circumstances specified in a subordinate local law.

20 Term of a permit

- (1) A permit granted by the local government is for a term—
 - (a) specified in the permit; or
 - (b) otherwise specified in a subordinate local law.
- (2) A permit expires at the end of the term specified in section 20(1) (Term of a permit) of this local law.

21 Conditions of a permit

- (1) A permit may be granted by the local government on conditions the local government considers appropriate.
- (2) The conditions of a permit may—
 - (a) restrict the use of the permit; and
 - (b) require the permit to be affixed to, or exhibited on, a specified part of the vehicle to which it applies.
- (3) The local government may specify in subordinate local law the conditions that must be imposed in a permit or that will ordinarily be imposed in a permit.

22 Amendment, renewal or transfer of a permit

- (1) The holder of a permit may make application to the local government to—
 - (a) amend the permit; or
 - (b) renew the permit; or
 - (c) transfer the permit to another person.
- (2) An application to amend, renew or transfer a permit must be—
 - (a) made by the holder of the permit; and
 - (b) made in the prescribed form; and
 - (c) accompanied by the prescribed fee and such other information as is requested by the local government; and
 - (d) accompanied by, in the case of a transfer of the permit, the written consent of the person to whom the permit will be transferred.

- (3) The local government may amend, renew or transfer a permit subject to such conditions the local government considers appropriate.
- (4) Subject to section 22(5) (Amendment, renewal or transfer of a permit) of this local law, if an application to renew a permit is made pursuant to section 22(1)(b) (Amendment, renewal or transfer of a permit) of this local law, the permit is taken to continue in force from the day that it would, apart from this section, have expired until the day the application is decided pursuant to section 22(3) (Amendment, renewal or transfer of a permit) of this local law.
- (5) Section 22(4) (Amendment, renewal or transfer of a permit) of this local law does not apply where a permit has been cancelled pursuant to section 23 (Cancellation of a permit) of this local law.

23 Cancellation of a permit

- (1) The local government may cancel a permit where—
 - (a) the holder of the permit agrees to the cancellation; or
 - (b) if the holder of the permit contravenes—
 - (i) this local law; or
 - (ii) a condition of a permit; or
 - (c) the permit was granted on the basis of false, misleading or incomplete information; or
 - (d) changes in circumstances as specified in a subordinate local law since the permit was granted make the continued operation of the permit inappropriate.
- (2) If the local government is satisfied it is necessary to cancel a permit, the local government must—
 - (a) give the holder of the permit a written notice stating—
 - (i) the reasons for the proposed cancellation; and
 - (ii) that the holder of the permit may make written representations to the local government about the proposed cancellation; and
 - (iii) the time (at least 15 business days after the notice is given to the holder of the permit) within which written representations may be made; and
 - (b) consider any written representations made by the holder of the permit within the time stated in the written notice.

- (3) After considering any written representation made by the holder of the permit the local government must give to the holder of the permit—
- (a) if the local government is not satisfied that the cancellation is necessary – a written notice stating it has decided not to cancel the permit; or
 - (b) if the local government is satisfied that the cancellation is necessary – a written notice stating it has decided to cancel the permit.
- (4) The cancellation of the permit takes effect from the day the written notice was given to the holder of the permit.
- (5) Where the local government has cancelled a permit, the holder of the permit must cease to use the permit.

Maximum penalty for subsection (5)—10 penalty units.

24 Compliance with conditions of a permit

The holder of a permit must ensure that the conditions of the permit are complied with.

Maximum penalty—10 penalty units.

Division 6 Offences

25 Parking infringement notice penalties¹⁰

The penalties set out in Schedule 1 (Parking infringement notice penalties) of this local law are the parking infringement notice penalties prescribed for the offences specified in Schedule 1 (Parking infringement notice penalties) of this local law.¹¹

26 Interference with regulated parking

A person must not interfere with—

- (a) an authorised system; or
- (b) a permit; or

¹⁰ See section 108(1) (Local laws about minor traffic offences) of the *Transport Operations (Road Use Management) Act 1995* and section 12 (Infringement notice offences and fines for local law) of the *State Penalties Enforcement Regulation 2000*.

¹¹ Section 25 (Parking infringement notice penalties) of this local law does not create an offence. The offences, and the relevant legislation which create them, are specified in Schedule 1 (Parking infringement notice penalties) of this local law.

- (c) a designated parking space, metered space, or a parkatarea space; or
- (d) an official traffic sign; or
- (e) an off-street regulated parking area; or
- (f) a vehicle parked in a traffic area, on a road or in an off-street regulated parking area; or
- (g) a parking infringement notice.

Maximum penalty—10 penalty units.

Part 3 Heavy vehicle parking on a road or in a public place

27 Restrictions on heavy vehicle parking on a road or in a public place

- (1) Subsections (2) and (2A) of section 200 (Stopping on roads—heavy and long vehicles) of the *Transport Operations (Road Use Management – Road Rules) Regulation 2009* do not apply within the Logan City Council local government area.
- (2) A person must not park a heavy vehicle on a road in a built up area or in a public place for more than 1 hour unless—
 - (a) the heavy vehicle is—
 - (i) an emergency vehicle; or
 - (ii) engaged in the delivery or collection of goods, materials or passengers to properties abutting the road or to the public place for the entire period during which the heavy vehicle is parked; or
 - (iii) involved in a public utility undertaking; or
 - (iv) of a class specified in a subordinate local law; or
 - (b) the parking of the heavy vehicle on the road is—
 - (i) in accordance with an official traffic sign; or
 - (ii) otherwise authorised by or under legislation; or
 - (iii) necessary in the event of a breakdown to—
 - (A) effect minor repairs sufficient to permit removal to a place where the heavy vehicle may be lawfully parked; or

- (B) allow the heavy vehicle to be towed, if needed; or
- (iv) on part of a road or area specified by a subordinate local law and is in accordance with an official traffic sign applicable to that part of the road or area.

Maximum penalty for subsection (2)—50 penalty units.

- (3) Notwithstanding section 27(2) (Restrictions on heavy vehicle parking on a road or in a public place) of this local law, the local government cannot regulate the parking of a heavy vehicle on a State-controlled road without the written approval of the chief executive of the department which administers Chapter 6 (Road Transport Infrastructure) of the *Transport Infrastructure Act 1994*.

Part 4 Enforcement

28 Parking infringement notice

If a person commits an offence under this local law or under the legislation specified in Schedule 1 (Parking infringement notice penalties) of this local law, the local government may serve a parking infringement notice in accordance with the *State Penalties Enforcement Act 1999*.¹²

29 Compliance notice

- (1) The local government may give a compliance notice to—
 - (a) a person who contravenes this local law¹³; and

¹² Section 14 (Service of infringement notices for infringement notice offences involving vehicles) of the *State Penalties Enforcement Act 1999* states—

- “(1) An infringement notice for an infringement notice offence involving a vehicle may be served—
- (a) on the owner of the vehicle; or
 - (b) on the person named in a known user declaration as the person who was in charge of the vehicle at the relevant time; or
 - (c) on the person named in a sold vehicle declaration as the person to whom the vehicle had been sold or otherwise disposed of before the relevant time.
- (2) If the infringement notice is to be served by post, the notice may be addressed to the person—
- (a) for the owner of the vehicle – at the latest address of the owner in the register of vehicles kept under a registration Act; or
 - (b) for the person named in a known user declaration – at the person’s address stated in the declaration; or
 - (c) for the person named in a sold vehicle declaration – at the person’s address stated in the declaration.
- (3) Also, the infringement notice may be served by securely placing or attaching the notice, addressed to the owner, without further description, on or to the vehicle in a conspicuous position.
- (4) If the infringement notice is served under subsection (3), it is taken to have been served on the owner on the day it is placed on or attached to the vehicle.
- (5) A person must not interfere with an infringement notice placed on or attached to a vehicle unless the person is the owner or the person in charge of the vehicle at the relevant time.
Maximum penalty for subsection (5)—40 penalty units.”

¹³ A person contravenes this local law if it commits an offence created by this local law.

- (b) any person involved in the contravention of this local law pursuant to section 33 (Liability of third parties) of this local law; and
 - (c) the owner of the vehicle if the person who contravenes this local law is not the owner of the vehicle.
- (2) The compliance notice may require the person to whom it is given to—
- (a) stop the contravention, if the contravention is of a continuing or recurrent nature; and
 - (b) perform work or otherwise take specified action to remedy the contravention (including the making of an application for a permit) for or within a time specified in the compliance notice, whether or not the contravention is of a continuing or recurrent nature; and
 - (c) perform work or otherwise take specified action for or within a time specified in the compliance notice to ensure compliance with this local law.
- (3) The compliance notice must be complied with within the time specified in the compliance notice.
- Maximum penalty for subsection (3)—50 penalty units.
- (4) A person to whom a compliance notice is given must comply with the compliance notice.
- Maximum penalty for subsection (4)—50 penalty units.

30 Performance of work

- (1) A person who commits an offence under this local law must make good any damage caused directly or indirectly by the commission of the offence.
- (2) The local government may perform work where a person has failed to perform work required to be performed by—
 - (a) section 30(1) (Performance of work) of this local law; or
 - (b) a compliance notice issued under this local law; or
 - (c) a condition of a permit; or
 - (d) any other provision of this local law.
- (3) An authorised person may perform the work that the local government is empowered to undertake pursuant to section 30 (Performance of work) of this local law.

- (4) The Court may order a person found guilty of an offence under this local law to—
- (a) perform work required to be performed by—
 - (i) section 30(1) (Performance of work) of this local law; or
 - (ii) a compliance notice issued under this local law; or
 - (iii) a condition of a permit; or
 - (iv) a provision of this local law; and
 - (b) pay to the local government all costs incurred by the local government in performing the work pursuant to section 30 (Performance of work) of this local law.

Part 5 Administrative provisions

31 Executive officers must ensure the corporation complies with the local law

- (1) The executive officers of a corporation must ensure the corporation complies with this local law.
- (2) If a corporation commits an offence against a provision of this local law, each of the corporation's executive officers also commit an offence, namely, the offence of failing to ensure that the corporation complies with the provision.

Maximum penalty for subsection (2)—the penalty for the contravention of the provision by an individual.

- (3) Evidence that the corporation has been convicted of an offence against a provision of this local law is evidence that each of the executive officers committed the offence of failing to ensure that the corporation complied with the provision.
- (4) However, it is a defence for an executive officer to prove—
- (a) if the officer was in a position to influence the conduct of the corporation in relation to the offence – the officer exercised reasonable diligence to ensure the corporation complied with the provision; or
 - (b) the officer was not in a position to influence the conduct of the corporation in relation to the offence.
- (5) This section applies so as not to limit or affect in any way the liability of a corporation to be proceeded against and punished for an offence committed by the corporation in contravention of this local law.

32 Owners must ensure compliance with the local law

- (1) The owner of a vehicle must ensure that an offence is not committed in relation to the parking of the vehicle under this local law.

- (2) An offence is committed in relation to the parking of a vehicle in contravention of this local law unless the evidence specified in section 32(3) (Owners must ensure compliance with the local law) of this local law proves otherwise.
- (3) For the purpose of section 32(2) (Owners must ensure compliance with the local law) of this local law the evidence may include¹⁴—
 - (a) a statement in writing, verified upon oath or by statutory declaration, which proves to the satisfaction of the local government that an official traffic sign was not displayed in the regulated parking area in which the alleged offence was committed; and
 - (b) a statement in writing, verified upon oath or by statutory declaration, which proves to the satisfaction of the local government, that the official traffic sign displayed in the regulated parking area in which the alleged offence was committed does not or has not contained the alleged parking restrictions or prohibitions; and
 - (c) a permit authorising the person to park.

33 Liability of third parties

- (1) Any person involved in a contravention of this local law commits an offence.

Maximum penalty for subsection (1)—the penalty for which any person who committed the contravention would be liable.
- (2) For the purposes of section 33(1) (Liability of third parties) of this local law, a person involved in a contravention of this local law is any person who—
 - (a) has aided, abetted, counselled or procured the contravention; or
 - (b) has induced, whether by threats or promises or otherwise, the contravention; or
 - (c) has been in any way, directly or indirectly, knowingly concerned in, or party to, the contravention; or
 - (d) has conspired with others to effect the contravention; or
 - (e) has knowingly benefited from or knowingly was capable of benefiting from the contravention.

¹⁴ Also see section 18 (Effect of illegal user declaration), section 19 (Effect of known user declaration) and section 20 (Effect of sold vehicle declaration) of the *State Penalties Enforcement Act 1999*.

34 Attempts to commit offences

- (1) A person who attempts to commit an offence under this local law commits an offence unless the person has a reasonable excuse.

Maximum penalty for subsection (1)—half the maximum penalty for committing the offence.

- (2) The provisions of the *Criminal Code* (relevant to attempts to commit offences) apply to the attempt.

35 Liability of local government

The local government shall not be liable for any injury, loss or damage whatsoever to—

- (a) a vehicle in a regulated parking area; or
- (b) to any property contained within or attached to a vehicle in a regulated parking area; or
- (c) a vehicle or property removed or detained pursuant to section 30 (Performance of work) of this local law.

36 Defence

It is a defence to any breach or non-compliance of any provision contained in this local law if a person has a lawful excuse or defence.

Example—

- It is a defence to any breach or non-compliance of any provision contained in this local law if a person was not criminally responsible in accordance with Chapter 5 (Criminal Responsibility) of the *Criminal Code*.
- Section 165 (Stopping in an emergency etc. or to comply with another provision) of the *Transport Operations (Road Use Management-Road Rules) Regulation 2009* details a number of circumstances that are a defence to prosecution for an offence against a provision of Part 12 (Restriction on stopping and parking) of the *Transport Operations (Road Use Management-Road Rules) Regulation 2009*.
- Part 19 (Exemptions) of the *Transport Operations (Road Use Management-Road Rules) Regulation 2009* details a number exemptions whereby certain provisions of the *Transport Operations (Road Use Management-Road Rules) Regulation 2009* do not apply.

Part 6 Subordinate local laws

37 Subordinate local laws

The local government may in a subordinate local law—

- (a) specify a vehicle as an emergency vehicle pursuant to Schedule 2 (Dictionary) of this local law; and
- (b) specify a public place as a footpath pursuant to Schedule 2 (Dictionary) of this local law; and
- (c) specify as a local government road a public place pursuant to Schedule 2 (Dictionary) of this local law; and
- (d) specify a thing as a vehicle pursuant to Schedule 2 (Dictionary) of this local law; and
- (e) specify premises as a public place pursuant to Schedule 2 (Dictionary) of this local law; and
- (f) specify a thing as a structure pursuant to Schedule 2 (Dictionary) of this local law; and
- (g) declare a traffic area pursuant to section 5 (Declaration of traffic area) of this local law; and
- (h) regulate parking in a traffic area pursuant to section 6 (Regulation of parking in a traffic area) of this local law; and
- (i) define an off-street regulated parking area pursuant to section 10(1) (Off-street regulated parking areas) of this local law; and
- (j) regulate parking on a road or in an off-street regulated parking area pursuant to section 11(1) (Regulation of parking on roads or in off-street regulated parking areas) of this local law; and
- (k) regulate the payment of parking fees for parking in a regulated parking area pursuant to section 11(2) (Regulation of parking on roads or in off-street regulated parking areas) of this local law; and
- (l) specify the information which is to accompany an application for a permit pursuant to section 19(1)(b)(iii) (Application for a permit) of this local law; and
- (m) specify the circumstances in which the local government may waive the requirements of section 19 (Application for a permit) of this local law pursuant to section 19(2)(c) (Application for a permit) of this local law; and
- (n) specify the term for which a parking permit is granted or renewed pursuant to section 20(1)(b) (Term of a permit) of this local law; and
- (o) specify the conditions that must be imposed in a permit or that will ordinarily be imposed in a permit pursuant to section 21(3) (Conditions of a permit) of this local law; and

- (p) specify the changes in circumstances since a permit was granted that make the continued operation of the permit inappropriate pursuant to section 23(1)(d) (Cancellation of a permit) of this local law; and
- (q) specify the class or classes of heavy vehicles which are not subject to the restrictions on heavy vehicle parking pursuant to section 27(2)(a)(iv) (Restrictions on heavy vehicle parking on a road or in a public place) of this local law; and
- (r) specify the part of a road or area in which a heavy vehicle may be parked on part of a road or area for more than one hour pursuant to section 27(2)(b)(iv) (Restrictions on heavy vehicle parking on a road or in a public place) of this local law; and
- (s) specify such other matters as are provided for in this local law.

Schedule 1 Parking infringement notice penalties

section 25

Table 1 – Parking infringement notice penalties

Offence	Legislation	Penalty units
Contravention of official traffic sign an offence	Section 74 Transport Operations (Road Use Management) Act 1995	0.67 penalty units
Paid parking offences	Section 106 Transport Operations (Road Use Management) Act 1995	0.67 penalty units
Keep clear markings	Section 96 Transport Operations (Road Use Management – Road Rules) Regulation 2009	0.67 penalty units
No stopping signs	Section 167 Transport Operations (Road Use Management – Road Rules) Regulation 2009	1 penalty unit
No parking signs	Section 168 Transport Operations (Road Use Management – Road Rules) Regulation 2009	1 penalty unit
No stopping on a road with a yellow edge line	Section 169 Transport Operations (Road Use Management – Road Rules) Regulation 2009	1 penalty unit
Stopping on or near a children’s crossing	Section 171 Transport Operations (Road Use Management – Road Rules) Regulation 2009	2 penalty units
Stopping on or near a pedestrian crossing (except at an intersection)	Section 172 Transport Operations (Road Use Management – Road Rules) Regulation 2009	2 penalty units
Stopping on or near a marked foot crossing (except at an intersection)	Section 173 Transport Operations (Road Use Management – Road Rules) Regulation 2009	2 penalty units
Stopping on a clearway	Section 176 Transport Operations (Road Use Management – Road Rules) Regulation 2009	0.67 penalty units
Stopping in an emergency stopping lane	Section 178 Transport Operations (Road Use Management – Road Rules) Regulation 2009	0.67 penalty units
Stopping in a loading zone	Section 179 Transport Operations (Road Use Management – Road Rules) Regulation 2009	1 penalty unit
Stopping in a taxi zone	Section 182 Transport Operations (Road Use Management – Road Rules) Regulation 2009	0.67 penalty units
Stopping in a bus zone	Section 183 Transport Operations (Road Use Management – Road Rules) Regulation 2009	2 penalty units

22
 Logan City Council
 Local Law No. 7
 (Parking) 2003

Offence	Legislation	Penalty units
Stopping in a bus lane, tram lane, tramway, transit lane, truck lane or on tram tracks	Section 187 Transport Operations (Road Use Management – Road Rules) Regulation 2009	0.67 penalty units
Double parking	Section 189 Transport Operations (Road Use Management – Road Rules) Regulation 2009	1.34 penalty units
Stopping in or near a safety zone	Section 190 Transport Operations (Road Use Management – Road Rules) Regulation 2009	2 penalty units
Stopping near a fire hydrant etc.	Section 194 Transport Operations (Road Use Management – Road Rules) Regulation 2009	2 penalty units.
Stopping at or near a bus stop	Section 195 Transport Operations (Road Use Management – Road Rules) Regulation 2009	2 penalty units
Stopping in a parking area for people with disabilities	Section 203 Transport Operations (Road Use Management – Road Rules) Regulation 2009	4 penalty units
Parking for longer than indicated	Section 205 Transport Operations (Road Use Management – Road Rules) Regulation 2009	1 penalty unit
Parallel parking on a road (except in a median strip parking area)	Section 208 Transport Operations (Road Use Management – Road Rules) Regulation 2009	1 penalty unit
Angle parking	Section 210 Transport Operations (Road Use Management – Road Rules) Regulation 2009	1 penalty unit
Parking offences under Part 12 (Restrictions on stopping and parking) of the <i>Transport Operations (Road Use Management – Road Rules) Regulation 2009</i> other than those already specified in this Table	Part 12 Transport Operations (Road Use Management – Road Rules) Regulation 2009	0.67 penalty units

Schedule 2 Dictionary

section 4

approval has the meaning given in *Local Law No. 2 (Administration) 2010*.

authorised person means a person authorised by the local government pursuant to *Local Law No. 2 (Administration) 2010* to exercise the powers of an authorised person under this local law.

authorised system means a particular system for the payment of parking fees by the use of a coin, token, credit card or in some other way prescribed by a subordinate local law pursuant to section 11(1) (Regulation of parking on roads or in off-street regulated parking areas) of this local law.

building has the meaning given in the *Building Act 1975*.

built-up area means an area where a vehicle is parked and in which there are buildings on land next to the road, or there is street lighting, at intervals not over 100m for a distance of at least 500m or, if the road is shorter than 500m, for the whole road.

compliance notice means the written notice given pursuant to section 29 (Compliance notice) of this local law.

corporation means a corporation as defined in the *Corporations Act 2001 (Cth)* and includes an association as defined in the *Associations Incorporation Act 1981*.

Court means the court of law which has jurisdiction to deal with offences under this local law.

designated parking space means a space in a regulated parking area that is defined by an official traffic sign to be a designated parking space and includes a metered space or a parkatarea space.

device means a design, writing, drawing, depiction, structure, erection, placard, banner, notice, signboard, notice of sign, publication or sign of any kind.

emergency vehicle means—

- (a) an ambulance; or
- (b) a fire appliance or other vehicle necessary to attend a fire or chemical incident or a vehicle used for building inspections and community education; or
- (c) a police vehicle; or
- (d) such other vehicle as is specified in a subordinate local law.

executive officer of a corporation means a person who is concerned with, or takes part in, a corporation's management whether or not the person is a director or the person's position is given the name of executive officer.

footpath has the meaning given in the *Transport Operations (Road Use Management) Act 1995* and includes a mall, a square, court or other public place declared to be a footpath in a subordinate local law.

general parking sign means an official traffic sign applying to parking throughout a traffic area indicating the nature of the restriction applying to parking in the traffic area and the times when the restriction applies.

heavy vehicle has the meaning given in the *Transport Operations (Road Use Management) Act 1995*, schedule 4.

interference includes any damage, destruction, tampering, removal, alteration, disturbance or change.

known user declaration has the meaning given in the *State Penalties Enforcement Act 1999*.

land has the meaning given in the *Planning Act 2016*.

Local Government Act has the meaning given in the *Local Government Act 2009*.

local government area has the meaning given in the *Local Government Act 2009*.

local government road means—

- (a) a road under the *Local Government Act 2009*; and
- (b) a mall, a square, a court or other public place under the local government's control that is specified in a subordinate local law to be subject to this local law.

local law includes any subordinate local laws and all approvals granted pursuant to the local law.

metered space means a space on a road or in an off-street regulated parking area that is defined by an official traffic sign as a metered space.

newspaper has the meaning given in the *Printing and Newspapers Act 1981*.

occupier of premises means the person who has the control or management of the premises.

official traffic sign means a sign, marking, light or device placed or erected to regulate, warn or guide traffic that is an official traffic sign under the *Transport Operations (Road Use Management) Act 1995*¹⁵.

off-street regulated parking area means a premises which is controlled by the local government and is declared to be an off-street regulated parking area pursuant to section 10 (Off-street regulated parking areas) of this local law.

owner of a vehicle means the person in whose name the vehicle is registered under a law of a State or Territory.

owner of premises means the person for the time being entitled to receive the rent for the premises or who would be entitled to receive the rent for it if it were let to a tenant at a rent.

paid parking means parking in a designated parking space on payment of a prescribed fee for parking.

park has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

parkatarea means an area designated for parking where the payment of the required parking fee to a meter located in or at the entry of the area permits parking in any parking space within the area.

parkatarea space means a space in a traffic area, on a road or in an off-street regulated parking area that is defined by an official traffic sign as a parkatarea space.

parking infringement notice means an infringement notice under Part 3 of the *State Penalties Enforcement Act 1999*.

parking permit for people with disabilities means—

- (a) a parking permit for people with disabilities under section 111 (Parking permits for people with disabilities) of the *Transport Operations (Road Use Management) Act 1995*¹⁶; or
- (b) a parking permit under a corresponding provision of the law of another State or Territory with a people with disabilities symbol.

¹⁵ The design, methods, standards and procedures relating to the sign must conform with the Manual of Uniform Traffic Control Devices issued by Queensland Transport under the *Transport Operations (Road Use Management) Act 1995* or be approved by Queensland Transport in the form of an approval notice (see section 166 (Official traffic sign approvals) of the *Transport Operations (Road Use Management) Act 1995*).

¹⁶ Under section 111 (Parking permits for people with disabilities) of the *Transport Operations (Road Use Management) Act 1995* Queensland Transport may issue a permit to a person with a disability or to an organisation that transports persons with disabilities. The permit is subject to the conditions stated on it.

perform work includes take action to comply with a Local Government Act and includes work required to be performed pursuant to a compliance notice, direction or a condition of a permit.

permit means a permit which has been granted pursuant to section 17 (Issue of a permit) of this local law which—

- (a) has not expired pursuant to section 20(2) (Term of a permit) of this local law; and
- (b) has not been cancelled pursuant to section 23 (Cancellation of a permit) of this local law.

planning scheme has the meaning given in the *Planning Act 2016*.

premises means any land, building or structure and includes any part thereof.

prescribed fee means the fee prescribed by the local government.

prescribed form means the form prescribed by the local government.

public place means—

- (a) trust land; or
- (b) a reserve; or
- (c) premises of which the local government is the owner or occupier; or
- (d) premises specified in subordinate local law.

public utility undertaking means the provision of services to the public such as—

- (a) water, hydraulic power, electricity, gas; or
- (b) sewerage or drainage; or
- (c) telecommunications.

publication means any printed matter or written matter and includes a book, pamphlet, leaflet, circular, handbill, notice, ticket, voucher, pass, advertisement, poster, magazine or other periodical publication but does not include a newspaper.

publicise means to draw to the attention of, make known, advertise or promote and **publicises** has the corresponding meaning.

reserve has the meaning given in *Local Law No. 5 (Parks, Jetties and Boat Ramps) 2011*.

road means a local government road and a State-controlled road.

sign means a device that publicises a matter.

sold vehicle declaration has the meaning given in the *State Penalties Enforcement Act 1999*.

special parking sign means an official traffic sign applying to parking in a particular part of a traffic area indicating the nature of the restriction applying to parking in that part of the traffic area and the times when the restriction applies.

State-controlled road means a State-controlled road under the *Transport Infrastructure Act 1994*.

structure has the meaning given in the *Building Act 1975* and includes a structure as defined in the *Local Government Act 2009* and any other thing as defined in a subordinate local law.

traffic area means a part of the local government area that is declared to be a traffic area under section 5 (Declaration of traffic area) of this local law.

trust land means land dedicated as a reserve or granted in trust under the *Land Act 1994* and for which the local government is the trustee under the *Land Act 1994*.

vehicle has the meaning given in the *Transport Operations (Road Use Management) Act 1995* and includes anything specified as a vehicle in a subordinate local law.

Endnotes

1 Index to Endnotes

- 2 Date to which amendments incorporated
- 3 Key
- 4 Table of reprints
- 5 List of legislation
- 6 List of annotations

2 Date to which amendments incorporated

This reprint includes all amendments that commenced operation on or before the 11 December 2020.

3 Key

Key to abbreviations in list of legislation and annotations

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

4 Table of reprints

A reprint is issued upon the commencement of an amending instrument. A reprint is given the date of commencement of the amending instrument.

Table of reprints of this local law

Reprint No.	Amendments included	Reprint date
1	<i>Amending Local Law No. 1 (Miscellaneous Local Laws) 2005</i>	24 June 2005
2	<i>Amending Local Law No. 2 (Miscellaneous Local Laws) 2005</i>	17 March 2006
3	<i>Amending Local Law No.1 (Miscellaneous Local Laws) 2007</i>	9 November 2007
4	<i>Amending Local Law No. 1 (Miscellaneous Local Laws) 2010</i>	14 January 2011
5	<i>Amending Local Law No. 1 (Miscellaneous Local Laws) 2017</i>	17 March 2017
6	<i>Amending Local Law No. 1 (Local Law No. 7 (Parking) 2003) 2019</i>	28 June 2019
7	<i>Amending Local Law No. 1 (Local Law No. 7 (Parking) 2003) 2020</i>	11 December 2020

5 List of legislation

Original Local Law

Local Law No. 7 (Parking) 2003
date of gazettal 28 March 2003

Amending Local Laws

- Amending Local Law No. 1 (Miscellaneous Local Laws) 2005
date of gazettal 24 June 2005
- Amending Local Law No. 2 (Miscellaneous Local Laws) 2005
date of gazettal 10 February 2006
- Amending Local Law No. 1 (Miscellaneous Local Laws) 2007
date of gazettal 9 November 2007
- Amending Local Law No. 1 (Miscellaneous Local Laws) 2010
date of gazettal 14 January 2011
- Amending Local Law No. 1 (Miscellaneous Local Laws) 2017
date of gazettal 17 March 2017
- Amending Local Law No. 1 (Local Law No. 7 (Parking) 2003) 2019
date of gazettal 28 June 2019
- Amending Local Law No. 1 (Local Law No. 7 (Parking) 2003) 2020
date of gazettal 11 December 2020

6 List of annotations

PART 1—PRELIMINARY

Application and object

- s 2** amd Amending Local Law No. 2 (Miscellaneous
Local Laws) 2005 s 134
- amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2007 s 33
- amd hdg Amending Local Law No. 1 (Miscellaneous
Local Laws) 2010 s 4
- amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2010 s 4
- amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2017 s 17

Relationship to other laws

- s 3** ins Amending Local Law No. 1 (Miscellaneous
Local Laws) 2007 s 35
- amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2010 s 5
- amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2017 s 18

Definitions—the dictionary

- s 4** amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2005 s 80
- amd hdg Amending Local Law No. 2 (Miscellaneous
Local Laws) 2005 s 119
- amd Amending Local Law No. 2 (Miscellaneous
Local Laws) 2005 s 119
- renum Amending Local Law No. 1 (Miscellaneous
Local Laws) 2007 s 34

PART 2—REGULATION OF PARKING

Declaration of traffic area

- s 5** amd Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 134
- renum/amd Amending Local Law No. 1 (Miscellaneous Local Laws) 2007 ss 34, 36
- amd Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 6

Regulation of parking in a traffic area

- s 6** amd Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 134
- renum Amending Local Law No. 1 (Miscellaneous Local Laws) 2007 s 34
- amd Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 7

General parking sign

- s 7** renum/amd Amending Local Law No. 1 (Miscellaneous Local Laws) 2007 ss 34, 37
- amd Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 8

Special parking sign

- s 8** amd Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 120
- renum/amd Amending Local Law No. 1 (Miscellaneous Local Laws) 2007 ss 34, 38
- amd Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 9

Division 2—Regulated Parking

- div hdg** amd Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 10

Parking on roads

- s 9** amd Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 121
- amd Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 134
- renum/amd Amending Local Law No. 1 (Miscellaneous Local Laws) 2007 ss 34, 39
- amd hdg Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 11
- amd Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 11

Off-street regulated parking areas

- s 10** amd Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 122
- amd Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 134
- renum/amd Amending Local Law No. 1 (Miscellaneous Local Laws) 2007 ss 34, 40

Regulation of parking on roads or in off-street regulated parking areas

s 11	amd	Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 134
	renum/amd	Amending Local Law No. 1 (Miscellaneous Local Laws) 2007 ss 34, 41
	amd hdg	Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 12
	amd	Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 12

Installation of official traffic signs for regulated parking areas

s 12	amd	Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 134
	renum/amd	Amending Local Law No. 1 (Miscellaneous Local Laws) 2007 ss 34, 42
	amd	Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 13

Temporary parking restrictions

s 13	amd	Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 134
	renum/amd	Amending Local Law No. 1 (Miscellaneous Local Laws) 2007 ss 34, 43
	amd	Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 14

Duration of temporary prohibition or restriction

s 14	renum/amd	Amending Local Law No. 1 (Miscellaneous Local Laws) 2007 s 34, 44
------	-----------	---

Local government's responsibility to people with disabilities

s 15	renum	Amending Local Law No. 1 (Miscellaneous Local Laws) 2007 s 34
------	-------	---

Parking under a parking permit for people with disabilities

s 16	renum	Amending Local Law No. 1 (Miscellaneous Local Laws) 2007 s 34
------	-------	---

Issue of a permit

s 17	amd	Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 134
	renum	Amending Local Law No. 1 (Miscellaneous Local Laws) 2007 s 34
	amd	Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 15

Persons to whom parking permits may be granted

s 18	ins	Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 16
------	-----	---

Application for a permit

s 19	amd	Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 134
	renum/amd	Amending Local Law No. 1 (Miscellaneous Local Laws) 2007 ss 34, 45
	renum/amd	Amending Local Law No. 1 (Miscellaneous

		Local Laws) 2010 ss 16, 17
Term of a permit		
s 20	amd	Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 134
	renum/amd	Amending Local Law No. 1 (Miscellaneous Local Laws) 2007 ss 34, 46
	renum/amd	Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 ss 16, 18
Conditions of a permit		
s 21	amd	Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 123
	amd	Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 134
	renum/amd	Amending Local Law No. 1 (Miscellaneous Local Laws) 2007 ss 34, 47
	renum	Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 16
Amendment, renewal or transfer of a permit		
s 22	amd	Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 124
	amd	Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 134
	renum	Amending Local Law No. 1 (Miscellaneous Local Laws) 2007 ss 34, 48
	renum/amd	Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 ss 16, 19
Cancellation of a permit		
s 23	amd	Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 134
	renum/amd	Amending Local Law No. 1 (Miscellaneous Local Laws) 2007 ss 34, 49
	renum	Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 16
Compliance with conditions of a permit		
s 24	renum/amd	Amending Local Law No. 1 (Miscellaneous Local Laws) 2007 ss 34, 50
	renum	Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 16
Parking infringement notice penalties		
s 25	renum/hdg	Amending Local Law No. 1 (Miscellaneous Local Laws) 2007 ss 34, 51
	renum/hdg/amd	Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 ss 16, 20
Interference with regulated parking		
s 26	amd	Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 134
	renum/amd	Amending Local Law No. 1 (Miscellaneous Local Laws) 2007 ss 34, 52

renum/amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2010 ss 16, 21

PART 3—HEAVY VEHICLE PARKING ON A ROAD OR IN A PUBLIC PLACE

pt hdg amd Amending Local Law No. 2 (Miscellaneous
Local Laws) 2005 s 125

pt hdg amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2010 s 22

Restrictions on heavy vehicle parking on a road or in a public place

s 27 amd Amending Local Law No. 2 (Miscellaneous
Local Laws) 2005 s 134

renum/amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2007 ss 34, 53

renum/hdg/amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2010 ss 16, 23

PART 4—ENFORCEMENT

Parking infringement notice

s 28 amd Amending Local Law No. 2 (Miscellaneous
Local Laws) 2005 s 126

renum/hdg/amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2007 ss 34, 54

renum/hdg/amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2010 ss 16, 24

amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2017 s 19

Compliance notice

s29 amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2005 s 82

amd Amending Local Law No. 2 (Miscellaneous
Local Laws) 2005 s 134

renum/amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2007 ss 34, 55

renum/amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2010 ss 16, 25

Performance of work

s 30 amd Amending Local Law No. 2 (Miscellaneous
Local Laws) 2005 s 134

renum/hdg/amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2007 ss 34, 56

renum/amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2010 ss 16, 26

PART 5—ADMINISTRATIVE PROVISIONS

Executive officers must ensure the corporation complies with the local law

s 31 amd Amending Local Law No. 2 (Miscellaneous
Local Laws) 2005 s 127

amd Amending Local Law No. 2 (Miscellaneous
Local Laws) 2005 s 134

renum/amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2007 ss 34, 57

renum Amending Local Law No. 1 (Miscellaneous
Local Laws) 2010 s 16

Owners must ensure compliance with the local law

s 32 amd Amending Local Law No. 2 (Miscellaneous
Local Laws) 2005 s 128

amd Amending Local Law No. 2 (Miscellaneous
Local Laws) 2005 s 134

renum/amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2007 ss 34, 58

renum/amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2010 ss 16, 27

Liability of third parties

s 33 amd Amending Local Law No. 2 (Miscellaneous
Local Laws) 2005 s 134

renum/amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2007 ss 34, 59

renum/amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2010 ss 16, 28

Attempts to commit offences

s 34 amd Amending Local Law No. 2 (Miscellaneous
Local Laws) 2005 s 129

renum/amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2007 ss 34, 60

renum Amending Local Law No. 1 (Miscellaneous
Local Laws) 2010 s 16

Liability of local government

s 35 amd Amending Local Law No. 2 (Miscellaneous
Local Laws) 2005 s 134

renum/amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2007 ss 34, 61

renum/amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2010 ss 16, 29

Defence

s 36 amd Amending Local Law No. 2 (Miscellaneous
Local Laws) 2005 s 130

amd Amending Local Law No. 2 (Miscellaneous
Local Laws) 2005 s 134

renum Amending Local Law No. 1 (Miscellaneous
Local Laws) 2007 s 34

renum/amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2010 ss 16, 30

Subordinate local laws

s 37 amd Amending Local Law No. 2 (Miscellaneous
Local Laws) 2005 s 131

amd Amending Local Law No. 2 (Miscellaneous
Local Laws) 2005 s 134

renum/amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2007 ss 34, 62

renum/amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2010 ss 16, 31

SCHEDULE 1—PENALTY INFRINGEMENT NOTICE PENALTIES

sch hdg amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2005 s 83

amd Amending Local Law No. 2 (Miscellaneous
Local Laws) 2005 s 132

amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2007 s 63

amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2010 s 32

sch 1 amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2010 s 32

amd Amending Local Law No. 1 (Local Law No.
7 (Parking) 2003) 2019 s 4

amd Amending Local Law No. 1 (Local Law No.
7 (Parking) 2003) 2020 s 5

SCHEDULE 2—DICTIONARY

ins Amending Local Law No. 1 (Miscellaneous
Local Laws) 2005 s 84

amd def **approval** Amending Local Law No. 1 (Miscellaneous Local Laws)
2010 s 33

amd def **authorised person** Amending Local Law No. 1 (Miscellaneous Local
Laws) 2010 s 33

amd def **authorised system** Amending Local Law No. 1 (Miscellaneous
Local Laws) 2007 s 64

amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2010 s 33

ins def **built-up area** Amending Local Law No. 1 (Miscellaneous Local
Laws) 2010 s 33

amd def **compliance notice** Amending Local Law No. 1 (Miscellaneous
Local Laws) 2007 s 64

amd Amending Local Law No. 1 (Miscellaneous
Local Laws) 2010 s 33

ins def **GVM** Amending Local Law No. 1 (Miscellaneous Local Laws) 2010
s 33

amd def **heavy vehicle** Amending Local Law No. 1 (Miscellaneous Local
Laws) 2010 s 33

amd def **land** Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s
33

ins def **Local Government Act** Amending Local Law No. 1 (Miscellaneous
Local Laws) 2010 s 33

amd def **local government area** Amending Local Law No. 1 (Miscellaneous
Local Laws) 2010 s 33

amd def **local government road** Amending Local Law No. 2 (Miscellaneous
Local Laws) 2005 s 133

amd Amending Local Law No. 1 (Miscellaneous

- Local Laws) 2010 s 33
- amd def ***metered space*** Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 33
- amd def ***official traffic sign*** Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 133
- amd def ***off-street regulated parking area*** Amending Local Law No. 1 (Miscellaneous Local Laws) 2007 s 64
- amd def ***parkatarea space*** Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 33
- amd def ***parking permit for people with disabilities*** Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 133
- amd def ***perform work*** Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 33
- amd def ***permit*** Amending Local Law No. 1 (Miscellaneous Local Laws) 2007 s 64
- amd Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 33
- amd def ***planning scheme*** Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 33
- om def ***prescribed person*** Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 33
- amd def ***public place*** Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 33
- amd def ***public utility undertaking*** Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 33
- amd def ***regulated parking area*** Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 133
- amd Amending Local Law No. 2 (Miscellaneous Local Laws) 2005 s 134
- amd Amending Local Law No. 1 (Miscellaneous Local Laws) 2007 s 64
- amd def ***regulated parking system*** Amending Local Law No. 1 (Miscellaneous Local Laws) 2007 s 64
- om Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 33
- amd def ***reserve*** Amending Local Law No. 1 (Miscellaneous Local Laws) 2017 s 20
- amd def ***structure*** Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 33
- amd def ***traffic area*** Amending Local Law No. 1 (Miscellaneous Local Laws) 2007 s 64
- ins def ***transferring area A*** Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 33
- om def ***transferring area A*** Amending Local Law No. 1 (Miscellaneous Local Laws) 2017 s 20
- ins def ***transferring area D*** Amending Local Law No. 1 (Miscellaneous Local Laws) 2010 s 33

om def **transferring area D** Amending Local Law No. 1 (Miscellaneous
Local Laws) 2017 s 20

om def **GVM** Amending Local Law No. 1 (Local Law No. 7 (Parking) 2003)
2019 s 5amd def **heavy vehicle** Amending Local Law No. 1 (Local
Law No. 7 (Parking) 2003) 2019 s 5

amd def **land** Amending Local Law No. 1 (Local Law No. 7 (Parking) 2003)
2019 s 5

amd def **planning scheme** Amending Local Law No. 1 (Local Law No. 7
(Parking) 2003) 2019 s 5