



**Flinders Shire Council
Subordinate Local Law No. 15 (Regulated Parking and
Heavy Vehicle Parking) 2015**

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 15 (Regulated Parking and Heavy Vehicle Parking) 2015*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 15 (Regulated Parking and Heavy Vehicle Parking) 2015*, 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 permit to park a vehicle contrary to an indication on an official traffic sign; and
 - (c) the vehicles that can be issued with commercial vehicle identification labels; 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. 15 (Regulated Parking and Heavy Vehicle Parking) 201* (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) Persons who have been granted approval under another local law for the commercial use of a local government controlled area, where the permit is necessary to undertake this commercial use; and
- (b) School bus operators; and
- (c) Local government employees, contractors or agents for the purpose of carrying out works for or on behalf of the local government; and
- (d) Contractors or workers requiring a permit to park on a road to undertake work on an adjoining site; and
- (e) Any other person who in the opinion of an authorised person has reasonable grounds to warrant the issue of a parking permit.

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

For section 8(2) of the authorising local law, the following vehicles may be issued with a commercial vehicle identification label are any motor vehicle constructed, fitted or equipped for the carriage of persons which is used for carrying on a business that requires the regular use of loading zones.

Part 4 Minor traffic offence infringement notice penalties

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

For section 9 of the authorising local law, the infringement notice penalty 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.

Part 6 Regulation of Heavy Vehicle Parking

10 Restrictions on heavy vehicle parking

- (1) A heavy vehicle may park in a designated heavy vehicle parking area identified in Schedules.
- (2) A heavy vehicle must not be parked on any road within 50 metres of a residential area for more than one (1) hour unless: -
 - (a) The vehicle is an emergency vehicle
 - (b) The driver is engaged in dropping off or picking up goods for all of the period when the vehicle is stopped; or
 - (c) The vehicle is reasonably required to be parked as a result of:
 - i. Construction or maintenance of a road; or
 - ii. The provisions of services within the road area which the vehicle is parked; or
 - iii. Activity on an adjoining site or
 - (d) The vehicle has been declared by the local government to be a heavy vehicle to which an exception applies.
- (3) The infringement notice penalty amount for an offence under this part is 3 penalty units.

Schedule 1 Declaration of traffic area

Section 5



Schedule 2 Declaration of off-street regulated parking areas

Section 6



Schedule 3 Infringement notice penalty amounts for certain minor traffic offences

Section 9

	Column 1 Minor traffic offence	Column 2 Infringement notice penalty amount
1	Paid parking offences provided for in Section 106 (Paid parking offences of the <i>Transport Operations (Road Use Management) Act 1995</i>)	0.4 penalty units
2	Offences related to loading zones provided for in section 179 of the <i>Transport Operations (Road Use Management- Road Rules) Regulation 2009</i>	0.4 penalty units
3	Other parking offences provide for in part 12 (Restrictions on stopping and parking) of the of the <i>Transport Operations (Road Use Management- Road Rules) Regulation 2009</i>	0.4 penalty units
4	The Offence provided for in section 203 (Stopping in a parking area for people with disabilities of the <i>Transport Operations (Road Use Management- Road Rules) Regulation 2009</i>)	2 penalty units
5	All other offences which relate to the parking or stopping of a vehicle as provided for in Section 74 (Contravention of an official traffic sign) of the <i>Transport Operations (Road Use Management) Act 1995</i>	0.4 penalty units

Drafting certificate

This and the preceding six (6) pages bearing my initials is a certified copy of *Subordinate Local Law No. 15 (Regulated Parking and Heavy Vehicle Parking) 2015*, has been drafted in accordance with the *Local Government Act 2009* by Flinders Shire Council by resolution dated 20th day of August 2015.

Graham King
Chief Executive Officer