

LOCAL GOVERNMENT ACT 1995
City of Joondalup
Parking Amendment Local Law 2008

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Joondalup resolved on 18 March 2008 to make the “*City of Joondalup Parking Amendment Local Law 2008*”.

In this local law, the *City of Joondalup Parking Local Law 1998* as published in the *Government Gazette* on 9 November 1998 is referred to as the principal local law. The principal local law is amended as follows –

ARRANGEMENT

PART 1 – PRELIMINARYClauses 1-5.13
PART 2 – PARKING.....Clauses 6-6.13

PART 1 – PRELIMINARY

Short Title

- 1 This title may be referred to as the *City of Joondalup Parking Amendment Local Law 2008*.

Commencement

- 2 This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

Purpose

- 3 The purpose of this local law is to amend various clauses in the *Parking Local Law 1998* to enhance the law and improve City procedures and processes in relation to parking. It also seeks to update current modified penalties.

Repeal

- 4 The following local laws are repealed –
By laws relating to –
Parking, published in the *Government Gazette* on 20 March 1953, and as amended and published in the *Government Gazette* on 20 August 1954.

Amendment

- 5 The *City of Joondalup Parking Local Law 1998* published in the *Government Gazette* on Monday, 9 November 1998, is hereby amended in the following manner:

- 5.1 Delete the definition of “coin”.

- 5.2 Insert the following definition:

““currency” means any notes and coins which are legal tender pursuant to the *Currency Act 1965* and for the purpose of this Local Law includes cards issued by banks, or similar financial institutions or the City;”.

- 5.3 Delete the definition of “Joondalup City North”.
- 5.4 Insert the following definition:
“kerb” means any structure, mark, marking or device to delineate or indicate the edge of a carriageway;’.
- 5.5 Insert the following definition:
“loading zone” means a parking stall which is set aside for vehicles engaged in the loading or unloading of goods;’.
- 5.6 Insert the following definition:
“marked foot crossing” means a portion of a carriageway that is:
- (a) at a place with pedestrian lights facing pedestrians crossing the carriageway, and traffic control signals facing drivers on the carriageway; and
 - (b) indicated by a different road surface, or between two continuous or broken lines, or rows of studs or markers, on the road surface substantially from one side of the carriageway to the other;’.
- 5.7 Insert the following definition:
“parents with prams sign” means a parking bay set aside for the use of people accompanied by a young child or children using a pram at the time to transport the child or children;’.
- 5.8 Amend the definition of “parking meter” in the following manner:
Delete “coins” and substitute “currency”.
- 5.9 Insert the following definition:
“pram” means a wheeled conveyance designed, constructed and used for transporting a young child or children;’.
- 5.10 Insert the following definition:
“right of way” means a strip of land available either for use by the public, or a restricted section of the community and may be created by subdivision, specific transfer, or continued use over a period of years;’.
- 5.11 Amend the definition of “sign” in the following manner:
After the words “or applied to the surface of a road,” insert “parking facility,”.
- 5.12 Delete the current definition of “ticket issuing machine” and substitute the following new definition:
“ticket issuing machine” means a machine which on insertion of currency and activation of the ticket button issues a ticket having printed on it the expiry time

during which it shall be lawful for the vehicle displaying the ticket to remain in a metered space to which the machine refers;’.

PART 2 - PARKING

Application of Local Law

- 6 Amend Clause 6(2) by deleting “car parks” wherever it appears and substituting “parking facilities” instead.

Use of Coins in Parking Meters and Ticket Issuing Machines

- 6.1 Amend the Clause 16 heading by deleting “Coins” and substituting “Currency” instead.
- 6.2 Amend Clause 16(1) by deleting “coin” wherever it appears and substituting “currency” instead.

Restrictions and Time Limits in Parking Stations

- 6.3 Insert the following Clause:
- ‘24A Where time restrictions apply in a parking station and a vehicle which has been parked in the parking station leaves the parking station, it shall not return to the parking station for at least one hour.’.

Commercial Vehicles

- 6.4 Amend Clause 38(1)(a) by inserting “with a tare weight equal to or greater than 2,500 kilograms” after “vehicle”.

Intersections, Footpaths and Traffic Obstructions

- 6.5 Amend Clause 40(a) by inserting “or verge” after “carriageway” wherever “carriageway” appears in the Clause.

Verge Parking

- 6.6 Delete Clause 42(3).

Bus stops, Pedestrian and Children’s Crossings

- 6.7 Insert the following Clause:
- ‘43(4) A person shall not stop a vehicle on the carriageway side of a pram ramp pedestrian crossing or on a carriageway within 3 metres either side of that pram ramp pedestrian crossing.’.

Loading Zones

- 6.8 Delete Clause 46 in its entirety and insert the following:
- ‘46 A person shall not stop or park a vehicle in a loading zone or part of a loading zone unless the vehicle is actively engaged in the picking up or setting down of goods.’.
- 6.9 Insert the following Clause:

‘46A A vehicle may remain parked in a loading zone or part of a loading zone, in excess of the maximum time specified by a sign, if it is still actively engaged in the picking up or setting down of goods.’.

Authorised Parking

6.10 Amend Clause 48 by inserting the letter “A” after the number “48”.

6.11 Insert the following Clause:

‘48B A person not being accompanied by a child and using a pram to transport that child at the time shall not stop or park in a parking bay set aside by a “parents with prams sign”.’.

Sale of Removed Vehicles

6.12 Amend Clause 63 by capitalising the letter “c” in the word “clause”.

PENALTIES

Schedule 1 – Modified Penalties

6.13 Delete “Schedule 1 – Modified Penalties” and insert updated “Schedule 1 – Modified Penalties”.

Schedule 1
City of Joondalup
Modified Penalties

Clause No.	Nature of Offence	Modified Penalty \$
10	Parking in a metered/ticketed zone outside a parking stall	60
12(1)(b)	Stopping or parking against an expired meter in a metered stall	60
13(1)	Stopping during a prohibited period in a metered or ticket parking stall	60
13(2)(a)	Parking during a prohibited period in a metered or ticket parking stall	60
13(2)(b)	Parking in a metered or ticket parking stall set apart for vehicles of a different class	60
13(3)	Parking longer than time allowed in a metered or ticket stall	60
14(a)	Stopping or parking a vehicle with an expired ticket in a ticket zone	60
21(1)(a)	Failing to display an unexpired parking ticket in a metered zone	60
22	Parking in a parking station without paying appropriate fee	60
23(1)	Parking in a parking station not wholly within a parking stall	60
23(2)	Obstruction of entrance and/or roadway to parking station	60
24(1)(a)	Stopping or parking a vehicle in a parking station contrary to signs	60
24(1)(b)	Stopping during a prohibited period in a parking station	60
24A	Returning to the same parking station within one hour of having previously left	60
26(2)	Loitering in a parking station	80
26(3)	Driving in a parking station against the direction indicated by arrows	70
27	Failure to remove vehicle in a parking station after being directed by an authorised person	80
34(1)(a)	Stopping in a No Stopping Area	80
34(1)(b)	Stopping on a road during a prohibited period	60
34(3)	Parking on a road for more than the maximum period	60
35	Stopping or parking in an occupied parking stall	60
36(1)	Stopping or parking on or adjacent to a median strip	60
36(2)	Parking on a painted island	60
37(a)	Parked not parallel to the kerb	60
37(c)	Parked facing the wrong way	60
38(1)	Parking a commercial vehicle on road or verge for more than 3 hours	70
39(1)	Stopping or parking within one metre of a fire hydrant	60
39(2)	Stopping or parking within three metres of a public post box	60
40(a)	Stopping or parking vehicle within 10 metres of the prolongation of nearer edge of intersecting carriageway (without traffic lights)	60
40(b)	Stopping or parking vehicle on any footpath or cycleway	70
40(c)	Stopping or parking in front of right of way, driveway etc	80
41	Double parking	80
42(2)	Parking on street verge without consent	60
43(1)	Stopping a vehicle within 10 metres of departure side of bus stop or children's crossing	60
43(2)	Stopping a vehicle within 20 metres of approach side of bus stop or children's crossing	60
45	Failure to move vehicle on request	60
46	Stopping or parking in a loading zone	60
47(b)	Vehicle for sale on road or verge	60
48B	Stopping or parking a vehicle in a parking bay set aside for parents with prams	60
49	Stopping or parking a vehicle on private property	80
50	Drive, ride, park or stop a vehicle on a reserve or foreshore	80
56	Vehicle parked in a public place exceeding 24 hours	60
58	Vehicle causing an obstruction in a public place	60
	All other offences not classified	60