

Gladstone 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 establishment of traffic areas and off-street regulated parking areas; and
 - (b) the persons that may be issued with a parking permit; and
 - (c) the vehicles that may be issued with a commercial vehicle identification label; and
 - (d) the infringement notice penalty amounts for minor traffic offences.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 5 (Parking) 2011* (the *authorising local law*).

4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 4 defines particular words used in this subordinate 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 identified 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 identified in schedule 2.

Part 3 Parking contrary to parking restriction

7 Parking permits issued by local government—Authorising local law, s 7(2)

- (1) This section prescribes—
 - (a) the persons that may be issued with a parking permit mentioned in section 7(1) of the authorising local law; and
 - (b) the circumstances in which the parking permits may be issued.
- (2) A parking permit (a *resident parking permit*) may be issued to a person whose circumstances are as follows—
 - (a) the person resides in a residence¹ situated on a section of road and parking immediately adjacent to the residence is regulated by an official traffic sign; and
 - (b) the issue of the parking permit would not unduly impede the flow of traffic either on the road or in the area; and
 - (c) if the parking permit is granted — there would not be in force more than 2 resident parking permits for the same residence.
- (3) A parking permit (a *temporary parking permit*) may be issued to allow the holder of the parking permit to park 1 or more vehicles in a designated parking space or spaces for a period specified in the parking permit despite an indication on an official traffic sign to the contrary and despite the fact that paid parking would otherwise apply to the space or spaces.
- (4) A temporary parking permit may only be granted if the local government is satisfied that—
 - (a) the applicant is engaged in some temporary activity affecting premises immediately adjacent to the designated parking space or spaces to which the application relates; and
 - (b) it is not reasonably practical for the applicant to carry out the activity unless the designated parking space or spaces to which the application relates are allocated to the applicant's exclusive use for the duration of the activity.
- (5) A parking permit (a *works zone parking permit*) may be issued to a person if the local government is satisfied that—
 - (a) the part of the road to which the application relates is adjacent to a site at which the person is proposing to undertake building or construction work; and
 - (b) the carrying out of the building or construction work is lawful; and
 - (c) having regard to the nature of the building or construction work and the

¹ See definition of *residence* in the dictionary.

characteristics of the site, it is not reasonably practical for all work activity involving vehicle loading and unloading and associated vehicle movements to be confined within the site.

- (6) A parking permit (a *visitor parking permit*) may be issued to a person whose circumstances are as follows—
- (a) the person (the *resident*) resides in a residence situated on a section of road and parking immediately adjacent to the residence is regulated by an official traffic sign; and
 - (b) the parking permit is to be made available by the resident for use by another person who —
 - (i) is visiting or attending at the residence identified in the parking permit; and
 - (ii) intends parking on the section of road immediately adjacent to the residence; and
 - (c) the issue of the parking permit would not unduly impede the flow of traffic either on the road or in the area; and
 - (d) if the parking permit is granted — there would not be in force more than 2 visitor parking permits for the same residence.

Part 4 Minor traffic offence infringement notice penalties

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

For section 9 of the authorising local law, the infringement notice penalty amount² for an offence mentioned in column 1 of schedule 3 is the corresponding amount stated in column 2 of schedule 3.

² See section 5 of the *Penalties and Sentences Act 1992*. The value of a penalty unit is, for a local law, or an infringement notice under the *State Penalties Enforcement Act 1999* for an offence against a local law—the amount, not more than \$100.00, prescribed under a regulation. See section 2A of the *Penalties and Sentences Regulation 2005*. The value of the penalty unit for a local law made by a local government mentioned in schedule 2 of the Regulation, or an infringement notice under the *State Penalties Enforcement Act 1999* for an offence against a local law made by a local government mentioned in schedule 2 of the Regulation is \$75.00. The value of a penalty unit for a local law made by a local government not mentioned in schedule 2 of the Regulation, or an infringement notice under the *State Penalties Enforcement Act 1999* for an offence against a local law made by a local government not mentioned in schedule 2 of the Regulation, is \$100.00.

Schedule 1 Declaration of traffic area

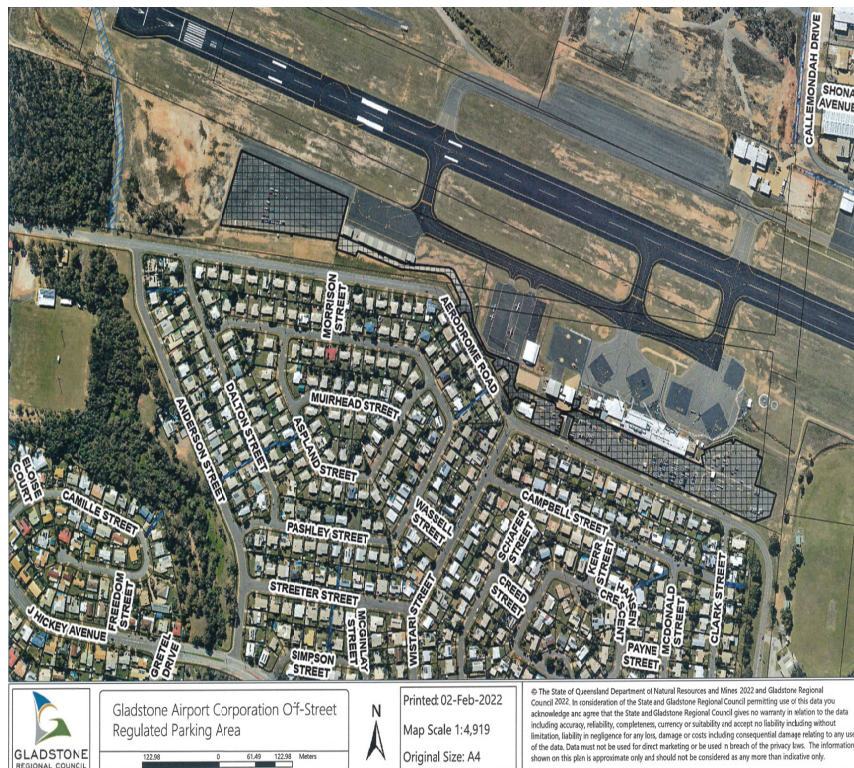
Section 5

No traffic area declared.

Schedule 2 Declaration of off-street regulated parking areas

Section 6

1. 39 Goondoon Street, Gladstone described as—
 - (a) Lot 5 on registered plan 618429, county of Clinton, parish of Gladstone; and
 - (b) Lot 1 on registered plan 605685, county of Clinton, parish of Gladstone; and
 - (c) Lot 1 on registered plan 608426, county of Clinton, parish of Gladstone; and
 - (d) Lots 3 and 4 on registered plan 618012, county of Clinton, parish of Gladstone.
2. 58 Goondoon Street, Gladstone described as Lot 4 on survey plan 178612, county of Clinton, parish of Gladstone.
3. 101 Goondoon Street, Gladstone described as Lot 2 on survey plan 228431, county of Clinton, parish of Gladstone.
4. Central Lane, Gladstone described as Lot 9 on registered plan 617710, county of Clinton, parish of Gladstone.
5. 23 Tank Street, Gladstone described as Lot 27 on plan G14103, county of Clinton, parish of Gladstone.
6. Gladstone Airport off-street regulated parking area being the area cross hatched in black on the plan in this schedule 2 with the boundaries of the off-street regulated parking area being the area indicated by a black line circumscribing the cross hatched area on the map.



- Philip Street Communities and Families Precinct off-street regulated parking area being the area of Lot 1 on SP312056 hatched in black on the plan in this schedule 2 with the boundaries of the off-street regulated parking area being the area indicated by a black line circumscribing the hatched area on the map.



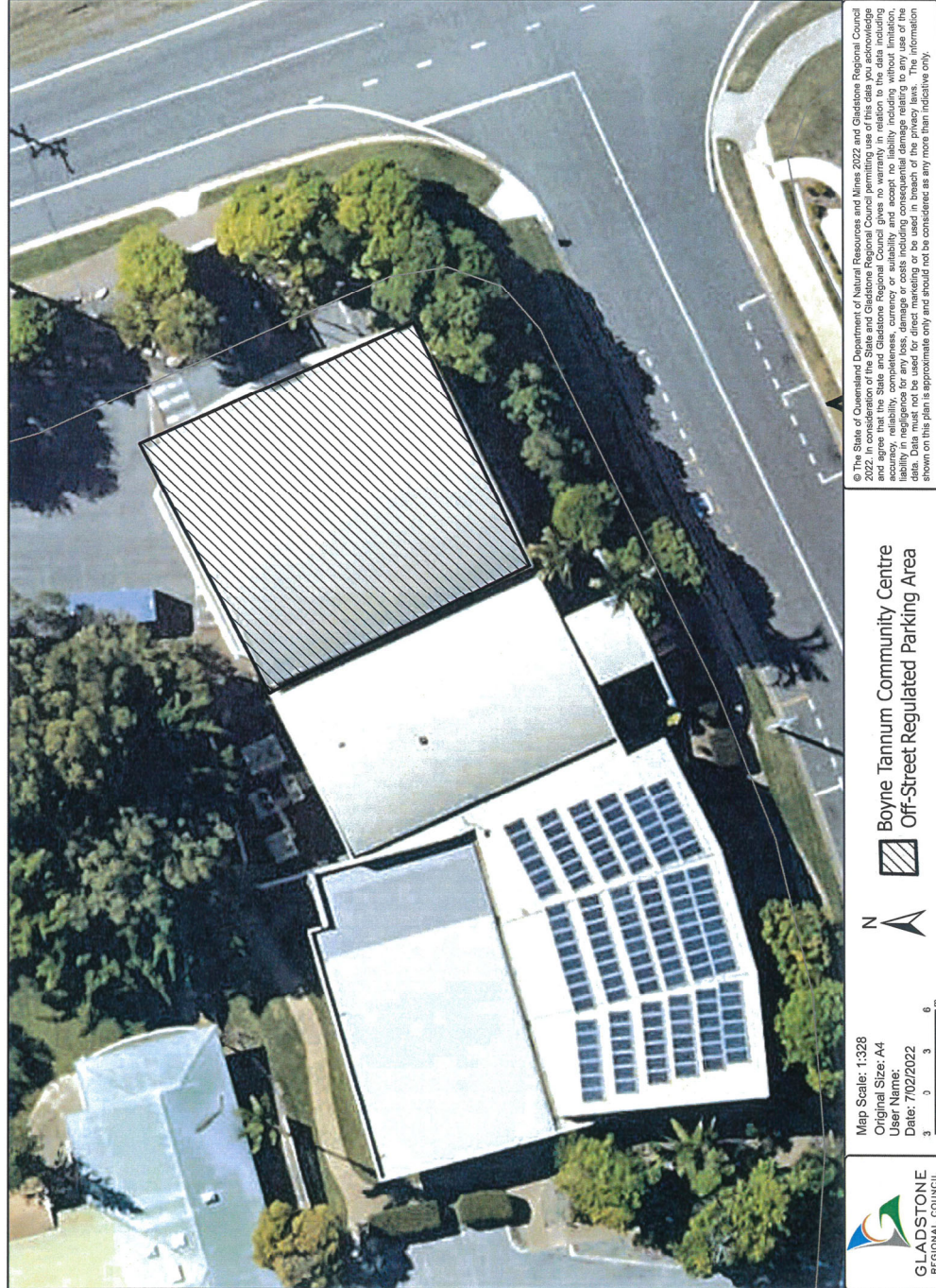
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Philip Street Communities and Families Precinct Off-Street Regulated Parking Area



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8. Boyne Tannum Community Centre off-street regulated parking area being the ground level car parking area of Lot 16 on Plan B87111 located underneath that part of the Boyne Tannum Community Centre building hatched in black on the plan in this schedule 2 with the boundaries of the off-street regulated parking area being the area indicated by a black line circumscribing the hatched area on the map.

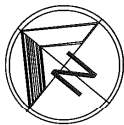
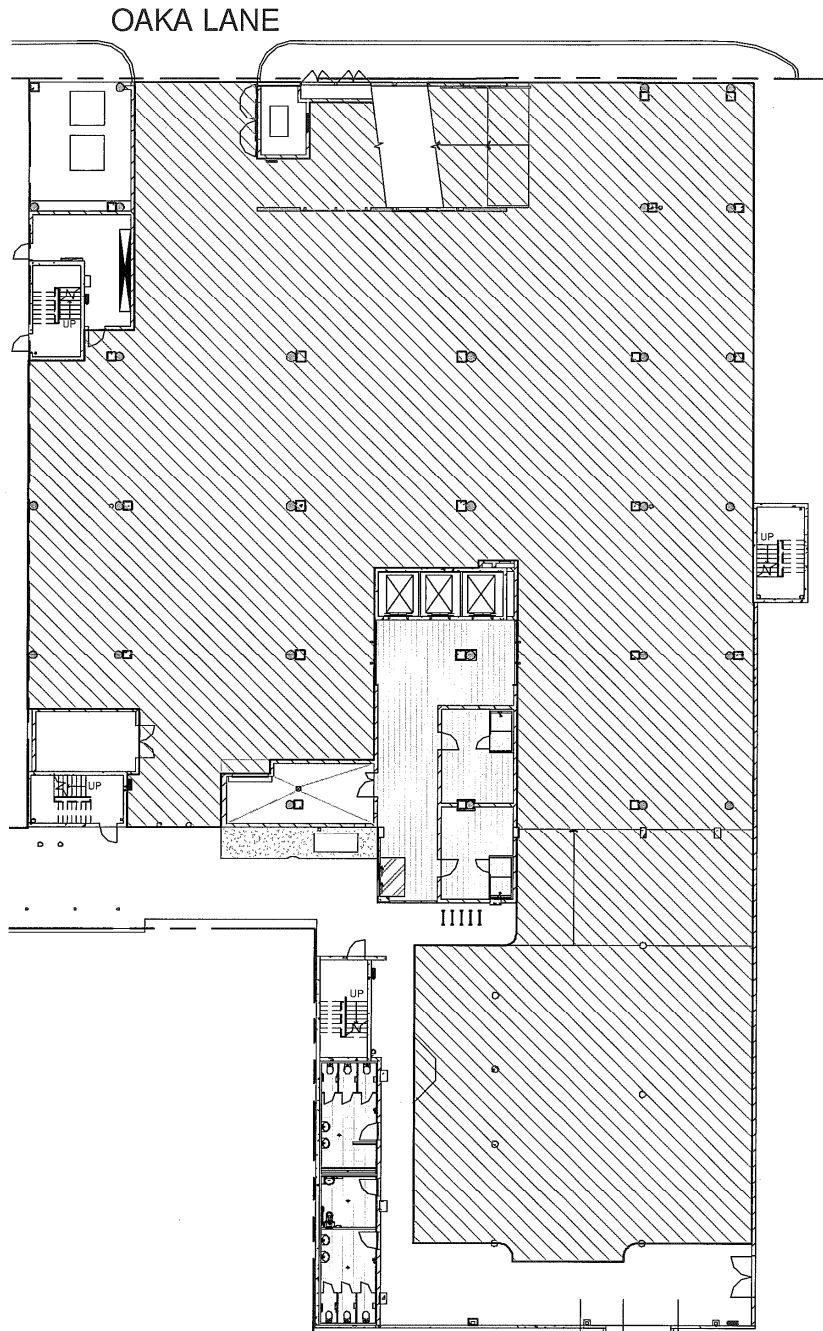


9. Marley Brown Oval off-street regulated parking area being the area of Lot 22 on Plan CTN1622 hatched in black on the plan in this schedule 2 with the boundaries of the off-street regulated parking area being the area indicated by a black line circumscribing the hatched area on the map.



10. 20 Bramston Street, Gladstone described as Lot 8 on SP116455, county of Clinton, parish of Gladstone.

-
11. 37 Tank Street, Gladstone described as Lot 1 on Registered Plan 618718, county of Clinton, parish of Gladstone.
 12. The areas forming part of the ground and first to fifth levels inclusive of the building commonly known as the “Gladstone Office and Entertainment Centre located at Goondoon Street, Gladstone on land more particularly described as lot 2 on SP155645 County of Clinton, Parish of Gladstone being the areas shown hatched in black on the plans titled—
 - Gladstone Office and Entertainment Centre – Project No. 10845 – Carpark Ground Level;
 - Gladstone Office and Entertainment Centre – Project No. 10845 – Carpark Level 1;
 - Gladstone Office and Entertainment Centre – Project No. 10845 – Carpark Level 2;
 - Gladstone Office and Entertainment Centre – Project No. 10845 – Carpark Level 3;
 - Gladstone Office and Entertainment Centre – Project No. 10845 – Carpark Level 4;
 - Gladstone Office and Entertainment Centre – Project No. 10845 – Carpark Level 5;which form part of this schedule 2, with the boundaries of each off-street regulated parking area being the area indicated by a black line circumscribing the hatched area on the plan.



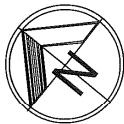
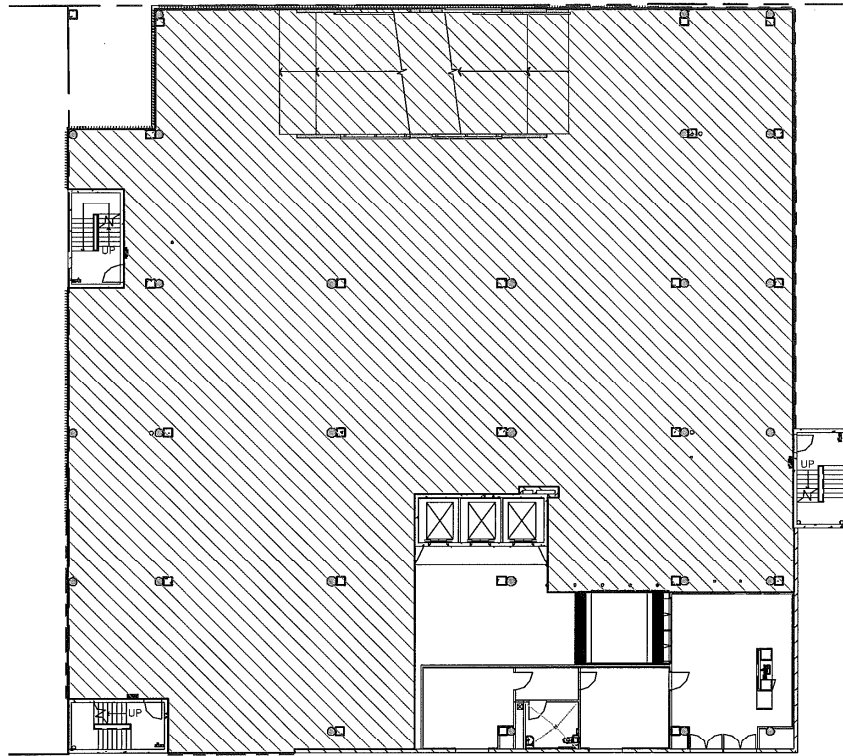
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GLADSTONE
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Goondoon Street,
Gladstone, QLD 4680

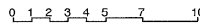
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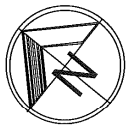
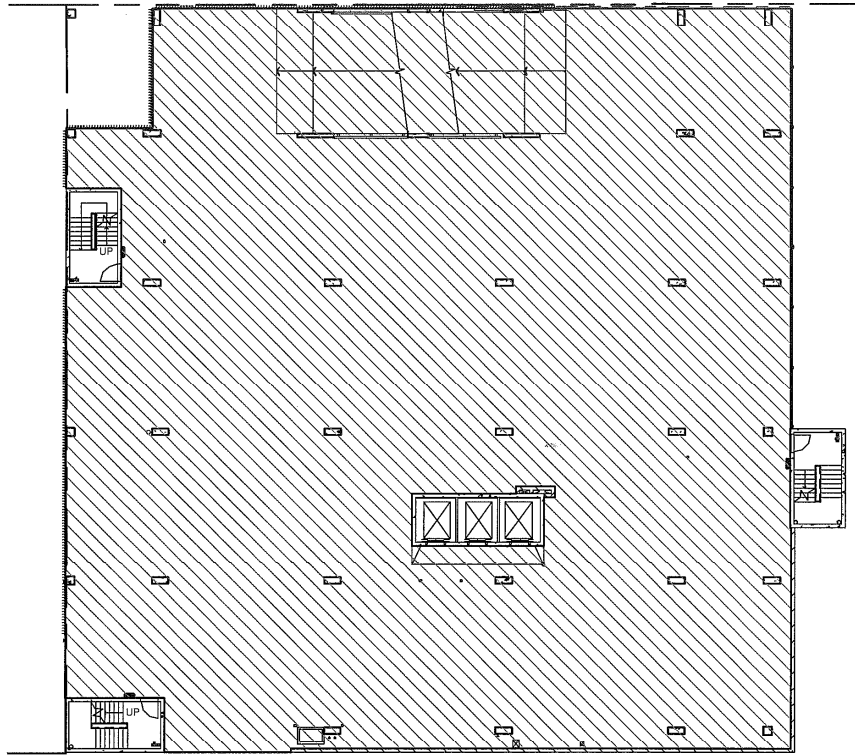


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CARPARK - LVL 1

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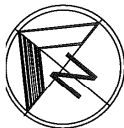
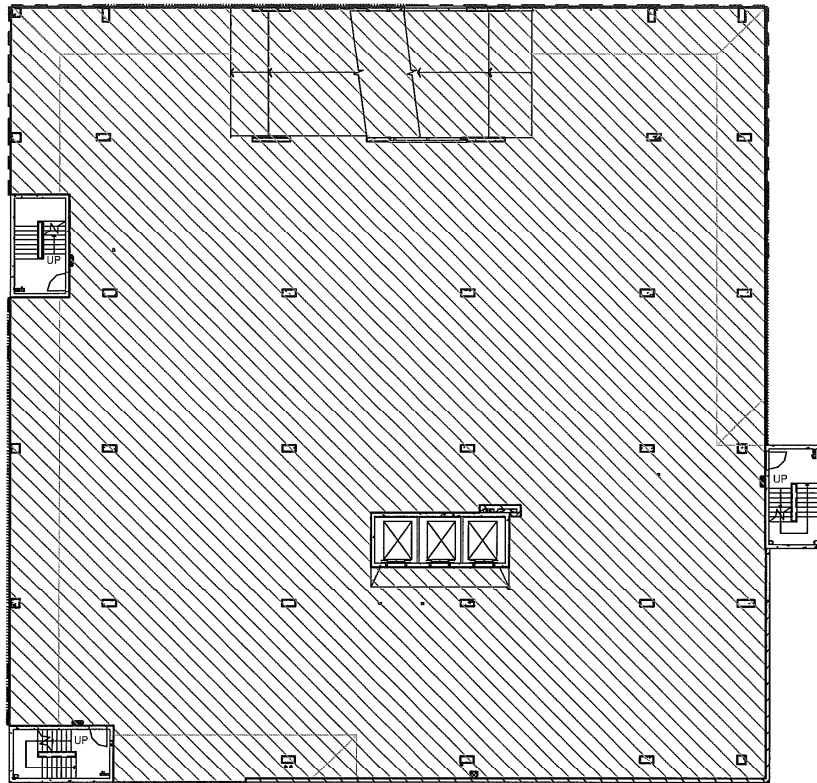
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CARPARK - LVL 2

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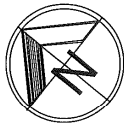
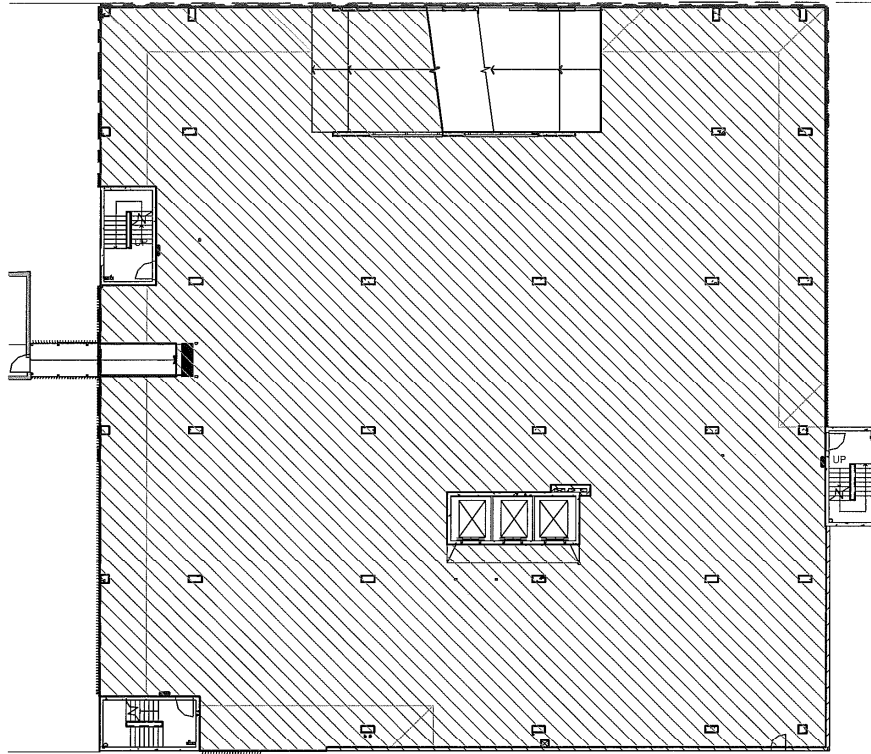
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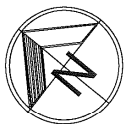
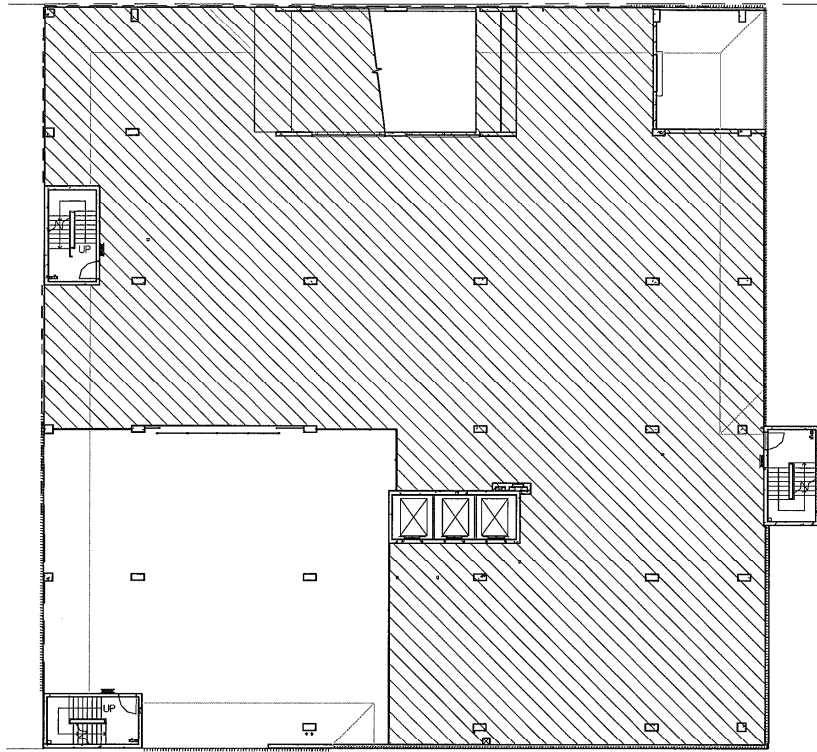
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Schedule 3 Infringement notice penalty amounts for certain minor traffic offences

Section 8

Column 1		Column 2
<i>Transport Operations (Road Use Management) Act 1995 provision</i>	Minor Traffic Offence	Infringement notice penalty amount
106(1)(a)(i)	Parking a vehicle in a designated parking space unless a parking meter or parkatarea installed for the space indicates that the parking fee has been paid	0.5 penalty units
106(1)(a)(ii)	Parking a vehicle in a designated parking space unless the person has done what is required by an authorised system that applies in relation to the space	0.5 penalty units
106(1)(b)	Parking a vehicle in a designated parking space for a time longer than the maximum time indicated on the official traffic sign installed for the space	0.5 penalty units
106(1)(c)	Parking a vehicle in a designated parking space if another vehicle is parked in the space	0.5 penalty units
106(1)(d)	Parking a vehicle in a designated parking space so that the vehicle is not wholly within the space	0.5 penalty units

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

Column 1		Column 2
<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	Minor Traffic Offence	Infringement notice penalty amount
169	Stopping at the side of a road marked with a continuous yellow edge line	1 penalty unit
179(1)	Stopping an unauthorised vehicle in a loading zone	1 penalty unit
179(2)(a)	Authorised driver stopping in a loading zone for longer than 30 mins	1 penalty unit
179(2)(b)	Authorised driver stopping in a loading zone for longer than permitted by a sign	1 penalty unit
179(2A)(a)	Staying continuously for longer than 20 minutes in a loading zone to drop off or pick up goods	1 penalty unit
179(2A)(b)	Staying continuously for longer than permitted by a sign in a loading zone to drop off or pick up goods	1 penalty unit
179(2B)(a)	Staying continuously for longer than 2 minutes in a loading zone to drop off or pick up passengers	1 penalty unit
179(2B)(b)	Staying continuously for longer than 5 minutes in a loading zone to drop off or pick up a person with a disability	1 penalty unit
181	Unauthorised driver stopping in a works zone	1 penalty unit
182(1)	Stopping an unauthorised vehicle in a taxi zone	1 penalty unit
183(1)	Stopping an unauthorised vehicle in a bus zone	1 penalty unit
183(1)	Stopping a bus in a bus zone contrary to a bus zone sign	1 penalty unit

Column 1		Column 2
<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	Minor Traffic Offence	Infringement notice penalty amount
185(1)	Stopping an unauthorised vehicle in a permit zone	1 penalty unit
189	Double parking a vehicle on a road	1 penalty unit
197(1)	Stopping on a bicycle path, footpath, shared path or dividing strip or a nature strip adjacent to a length of road in a built-up area unless permitted by a sign	0.5 penalty units
197(1A)	Stopping on a painted island	0.5 penalty units
197(1B)	Stopping on a traffic island	0.5 penalty units
202	Stopping contrary to a motorbike parking sign	1 penalty unit
203(1)	Stopping contrary to a people with disabilities parking sign	2 penalty units
205(1)(a)	Parking for longer than the period indicated on a permissive parking sign	0.5 penalty units
211(2)	Parking otherwise than completely within the confines of a parking bay	0.5 penalty units
Part 12	Other parking offences provided for in Part 12 (Restrictions on stopping and parking)	0.5 penalty units

Schedule 4 Dictionary

Section 4

residence means a building, or part of a building, that is —

- (a) fixed to land; and
- (b) designed, or approved by a local government, for human habitation by a single family unit; and
- (c) used for residential purposes.

resident see section 7(6)(a).

resident parking permit see section 7(2).

temporary parking permit see section 7(3).

visitor parking permit see section 7(6).

works zone parking permit see section 7(5).

This and the preceding 20 pages bearing my initials is a certified copy of the consolidated version of *Subordinate Local Law No. 5 (Parking) 2011* made in accordance with the provisions of the *Local Government Act 2009* by Gladstone Regional Council by resolution dated the day of (*insert the date of the relevant resolution of Council*) 2022.

.....

Chief Executive Officer