

Sunshine Coast Regional Council Subordinate Local Law No. 5 (Parking) 2011

CONSOLIDATED VERSION NO.5

incorporating amendments up to 21 September 2018

adopted by Sunshine Coast Regional Council on 31 January 2019 pursuant to
section 32 of the *Local Government Act 2009*

Sunshine Coast 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 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) regulating heavy vehicle parking in traffic areas and off-street regulated parking areas in the local government's area; and
 - (e) the infringement notice penalty amounts for minor traffic offences.

3 Authorising local law

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

4 Definitions

Particular words used in this subordinate local law have the same meaning as provided for in schedule 1 (Dictionary) of *Local Law No. 1 (Administration) 2011*.

Part 2 Declaration of parking areas for the TORUM Act

5 Declaration of traffic areas—Authorising local law, s 5

For section 5 of the authorising local law, the parts of the local government area within the boundaries indicated by bold lines on the maps in schedule 1 are declared to be traffic areas.

6 Declaration of off-street regulated parking areas—Authorising local law, s 6

For section 6 of the authorising local law, the parts of the local government area within the boundaries indicated by bold lines on the maps in schedule 2 are specified as off-street regulated parking areas.¹

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 persons mentioned in column 2 of schedule 3 may be issued with the corresponding permit mentioned in column 1 of schedule 3.

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

For section 8(2) of the authorising local law, the vehicles that may be issued² with a commercial vehicle identification label are any motor vehicle³ that is permanently sign written (painted) or displays a magnetic or other sticker so as to clearly indicate that the vehicle is being used in connection with a commercial business.

Part 4 Heavy vehicle parking on a road

This part has been intentionally left blank.

Part 5 Minor traffic offence infringement notice penalties

9 Amounts for infringement notice penalties—Authorising local law, s 11(1)

For section 11(1) of the authorising local law, the infringement notice penalty for an offence mentioned in column 1 of schedule 4 is the corresponding amount stated in column 2 of schedule 4.

¹ Before an area specified under this subordinate local law section has effect as an *off-street regulated parking area* for the TORUM Act it must also be 'controlled by ... a local government' pursuant to section 104(1)(a). Section 104(2) provides that land controlled by the local government includes land over which the local government may exercise control for the purposes of Part 6 (Regulated parking) under an arrangement with a person who owns, or has an interest in, the land.

² See *Subordinate Local Law No.1 (Administration) 2011* for relevant criteria and conditions regarding applications for a commercial vehicle identification label.

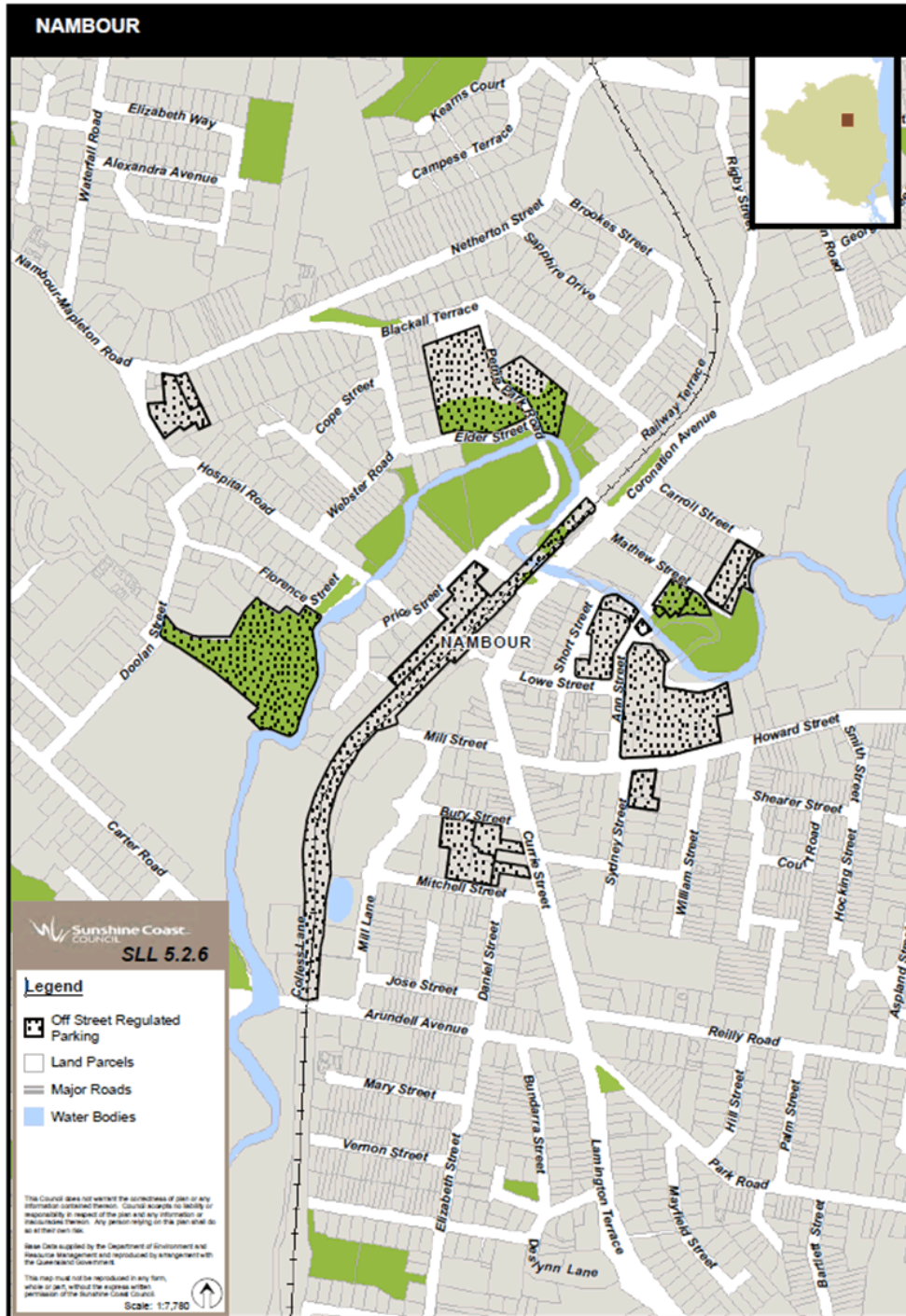
³ See definition of *motor vehicle* in the TORUM Act.

Schedule 1 Declaration of traffic area

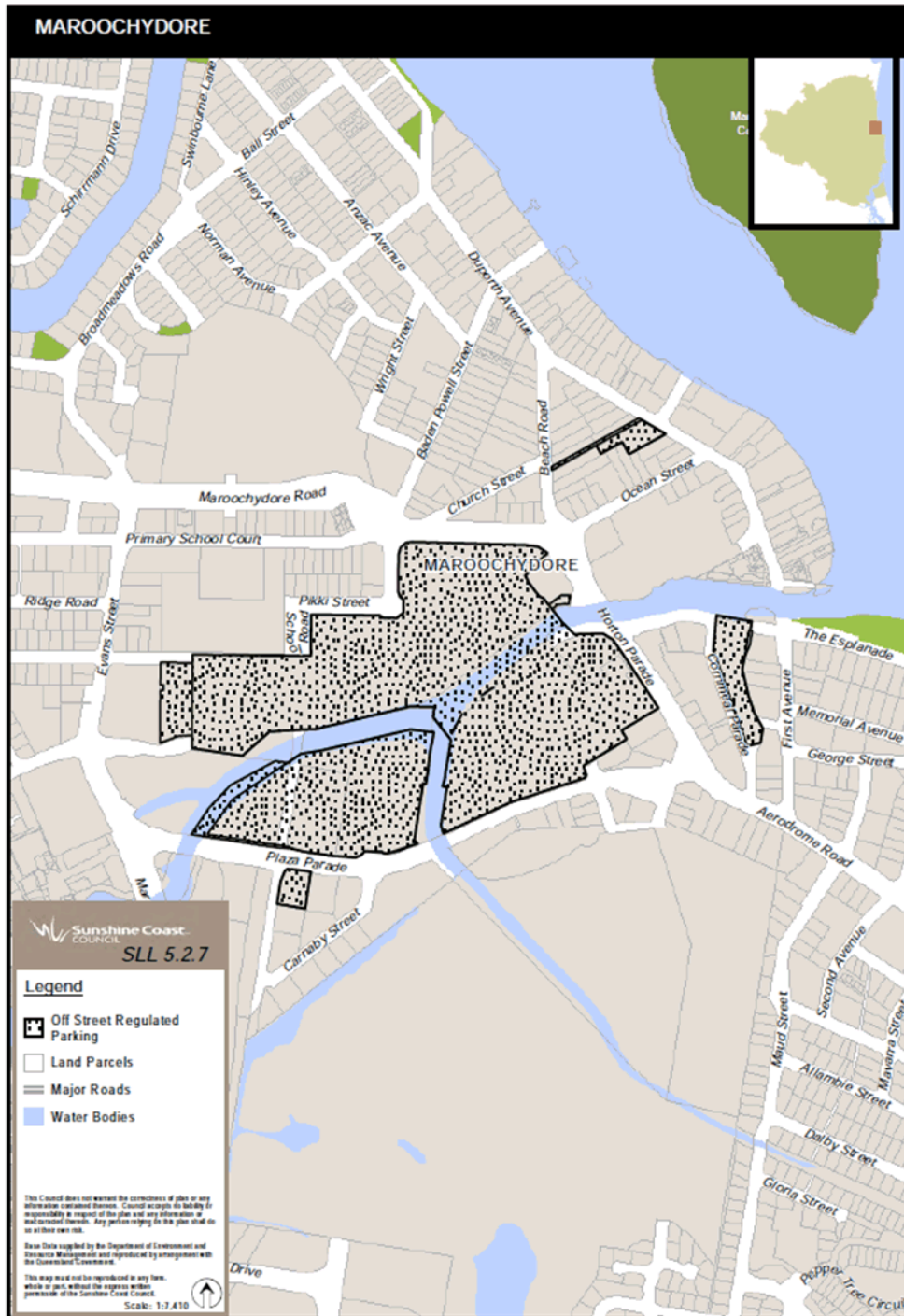
section 5

This schedule has been intentionally left blank.

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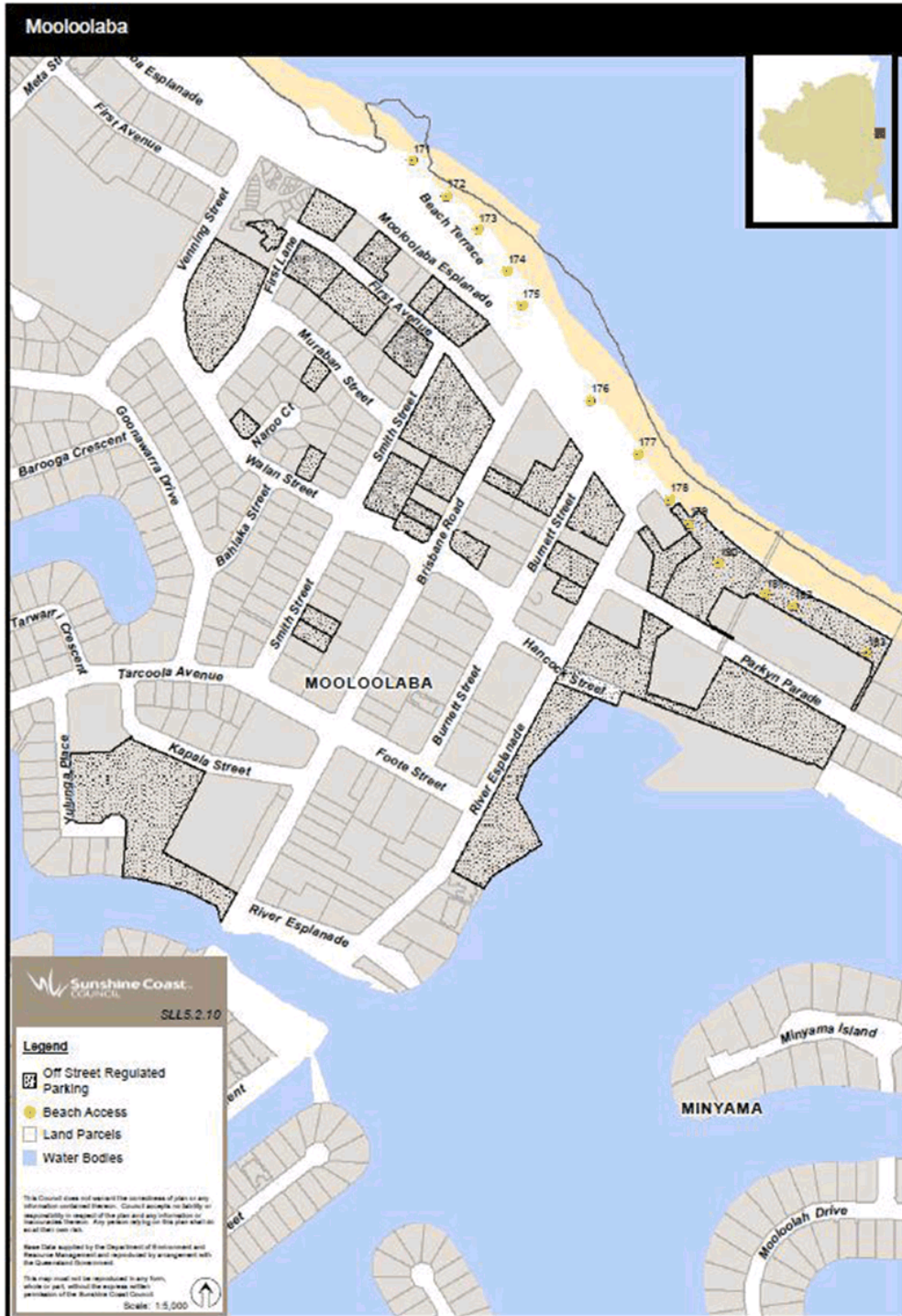
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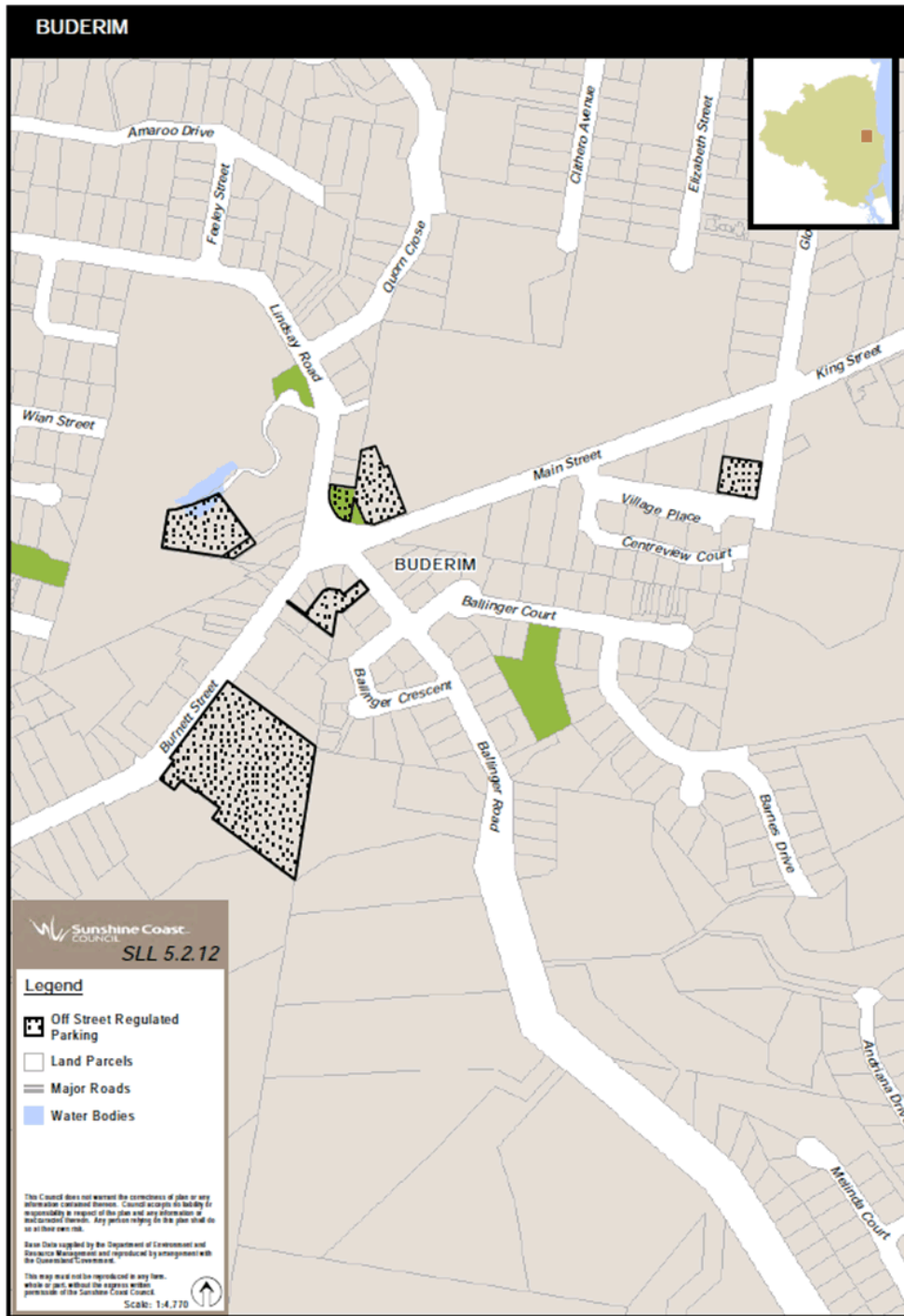
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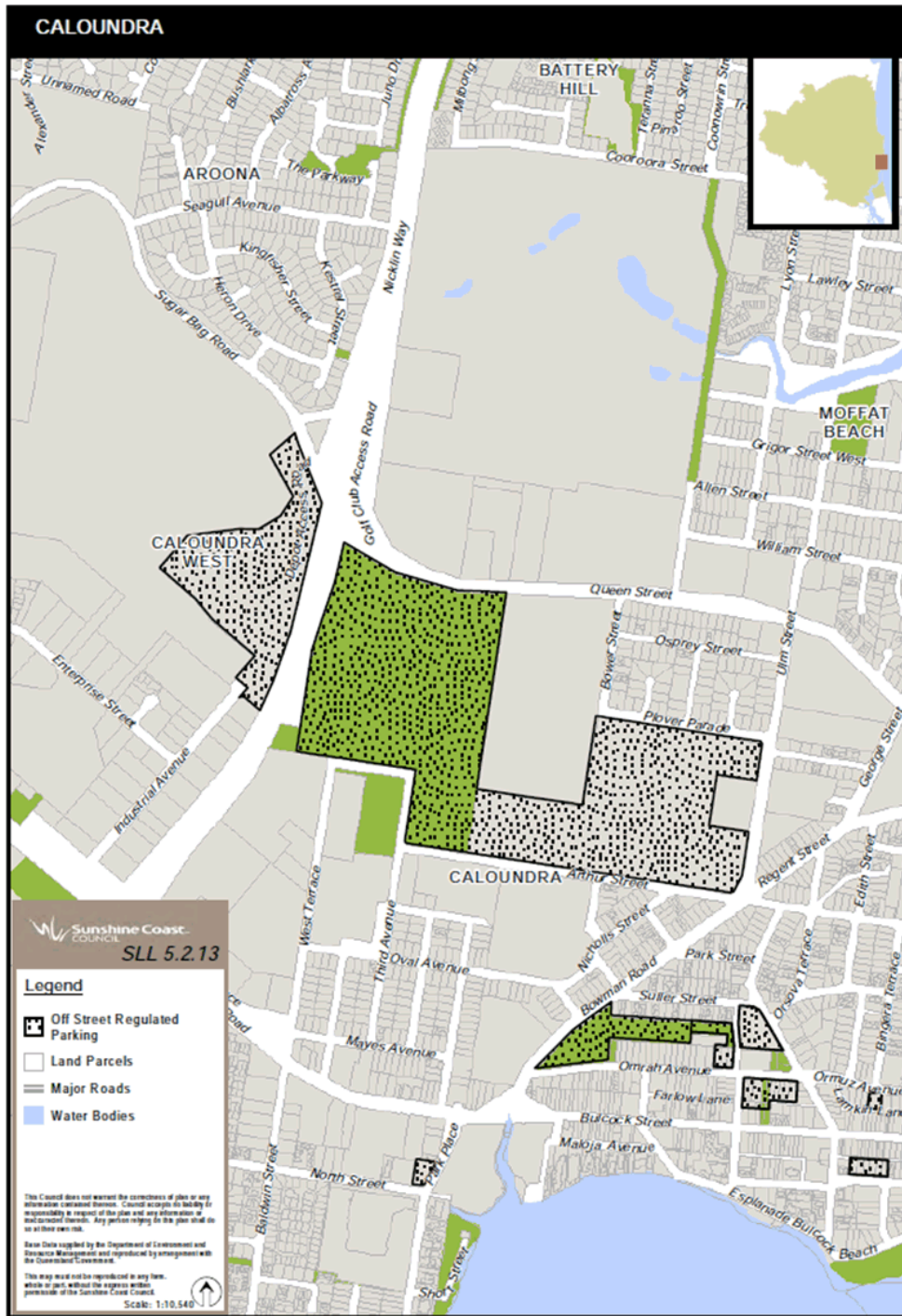
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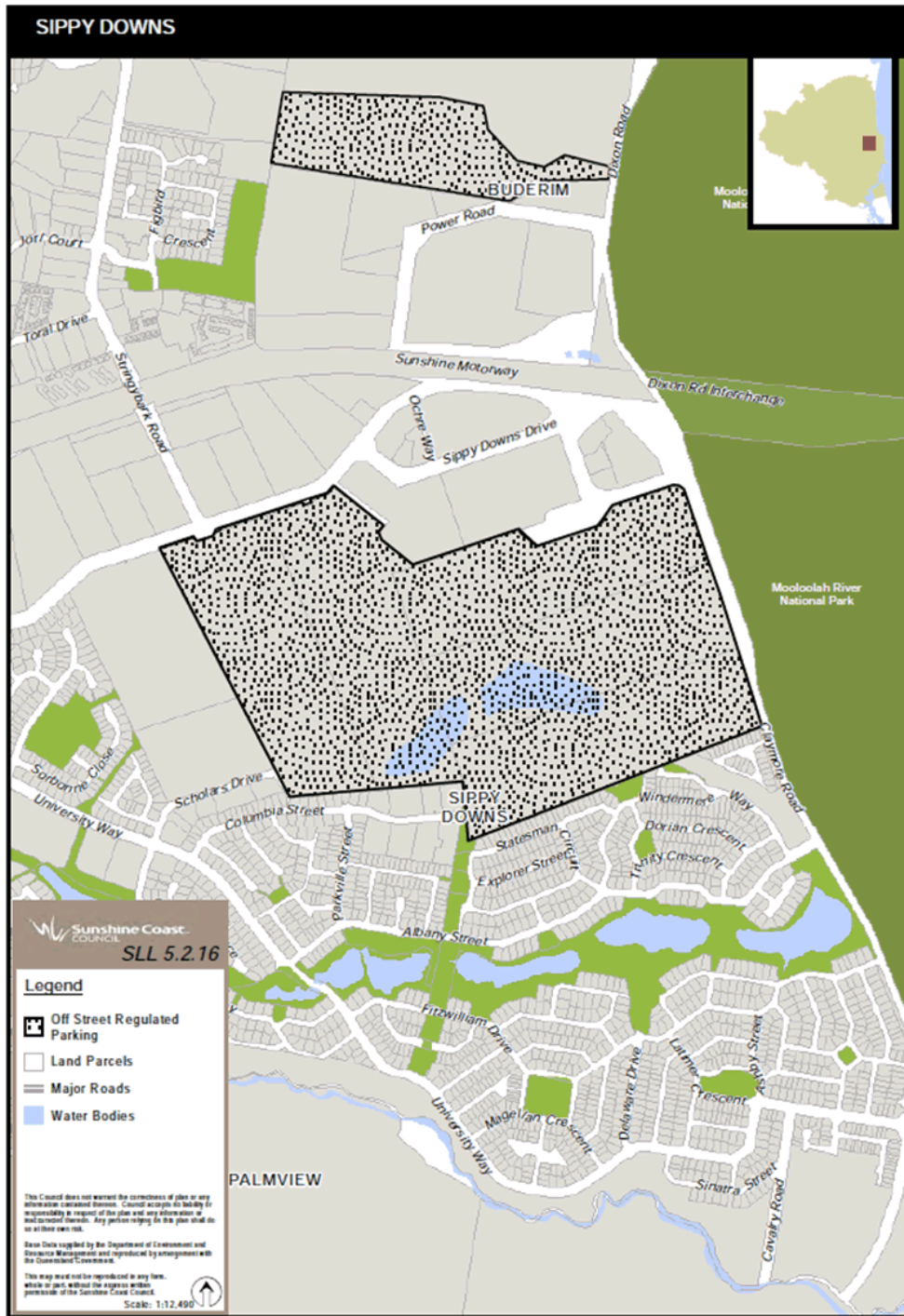
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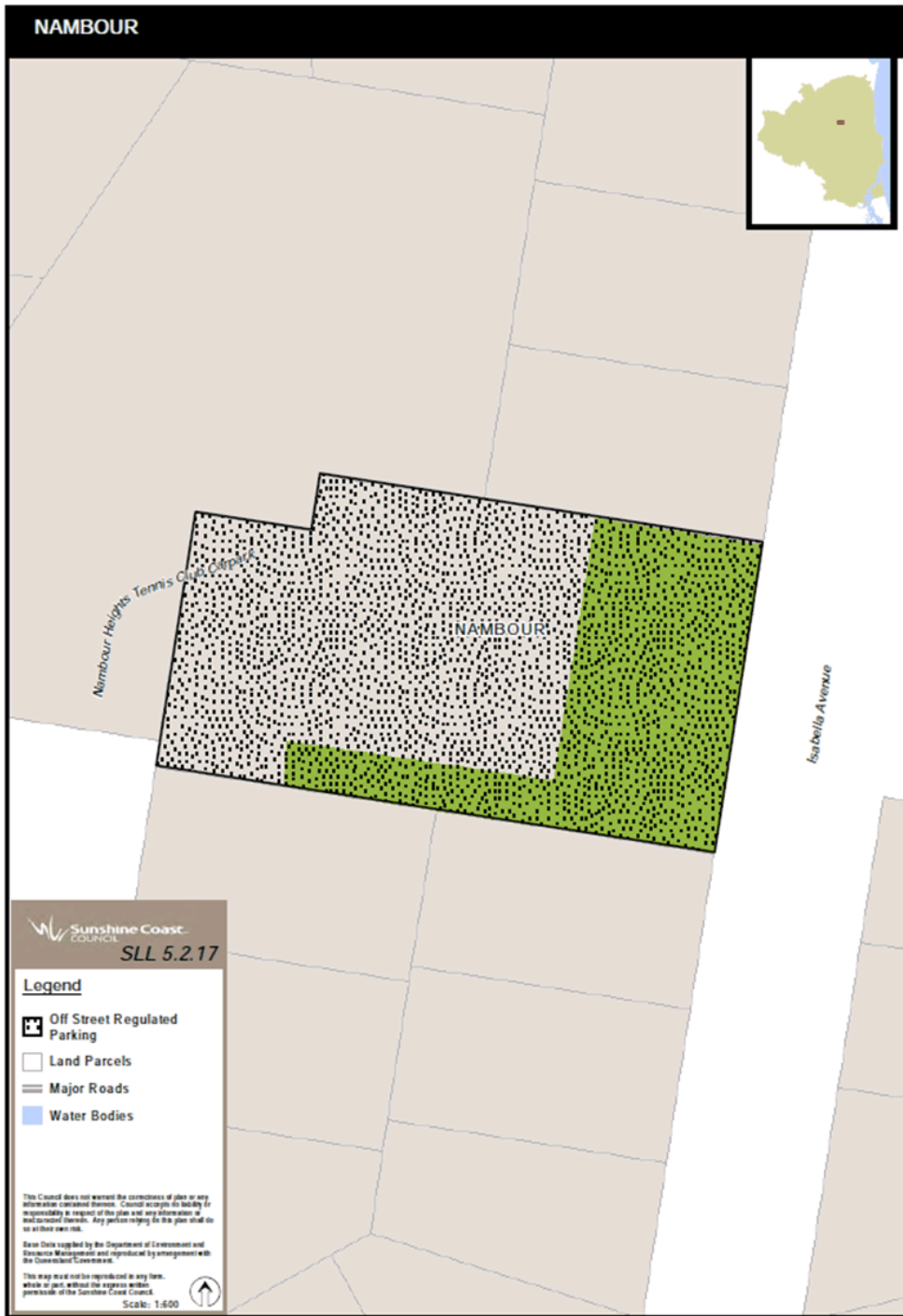
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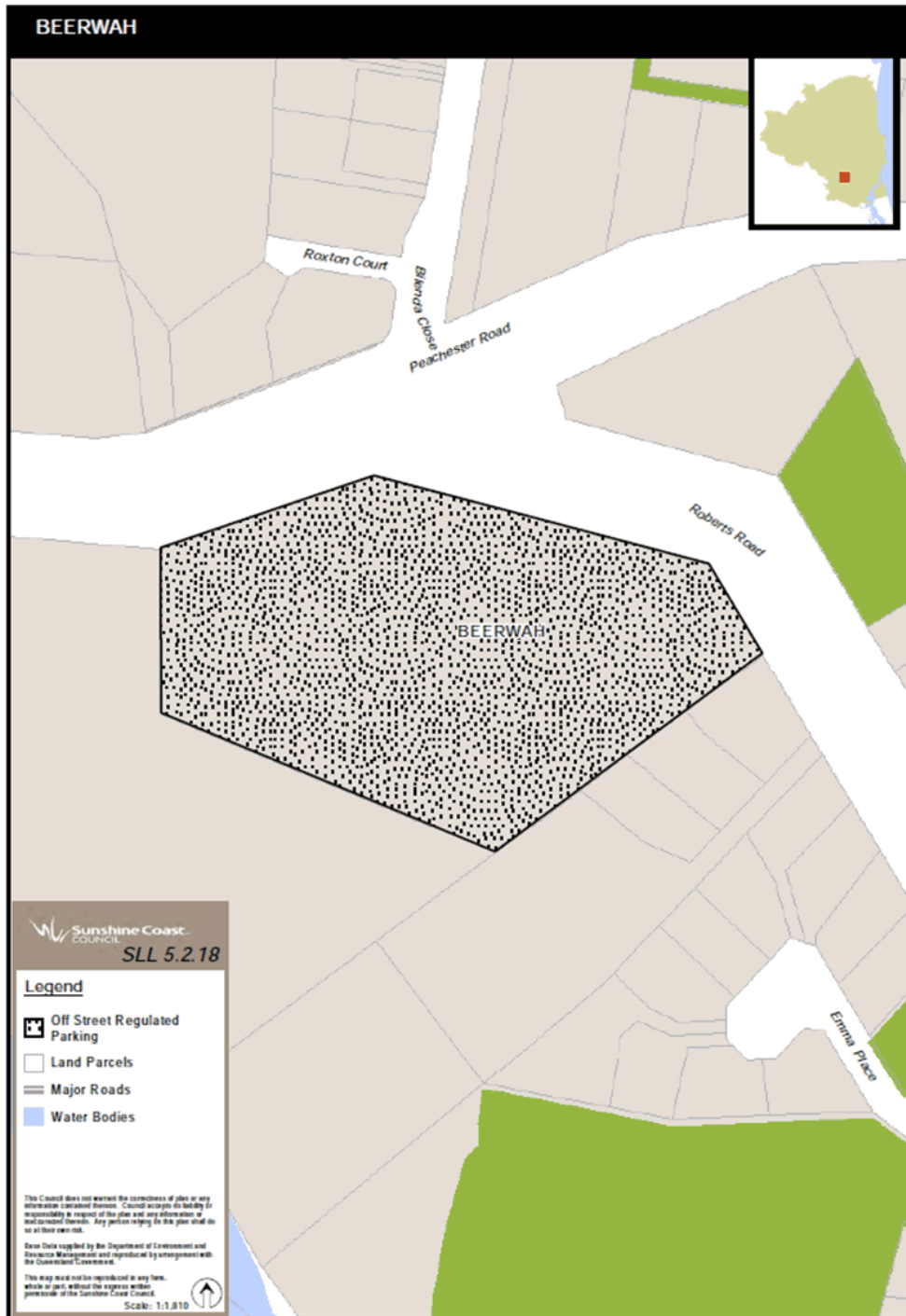
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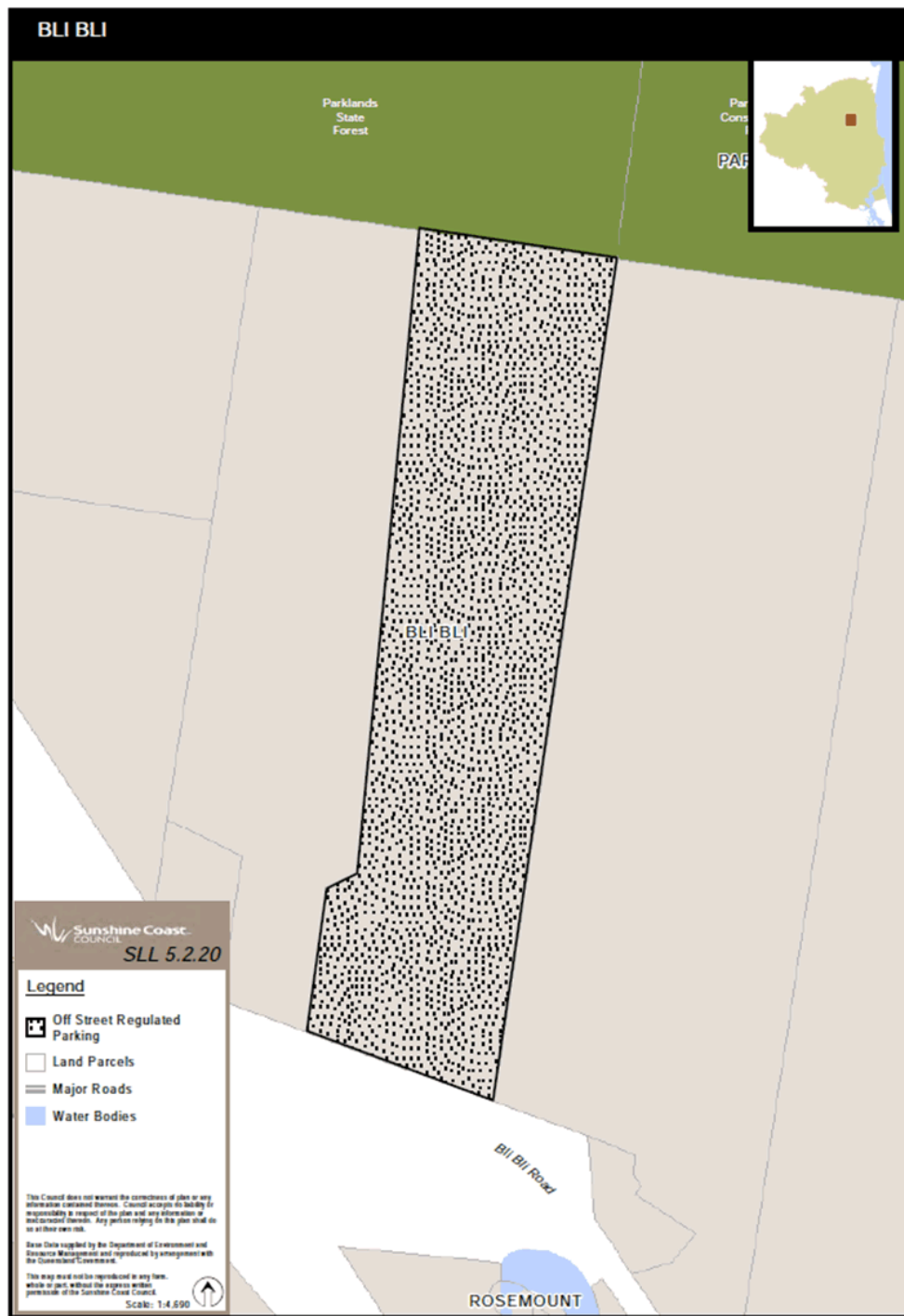
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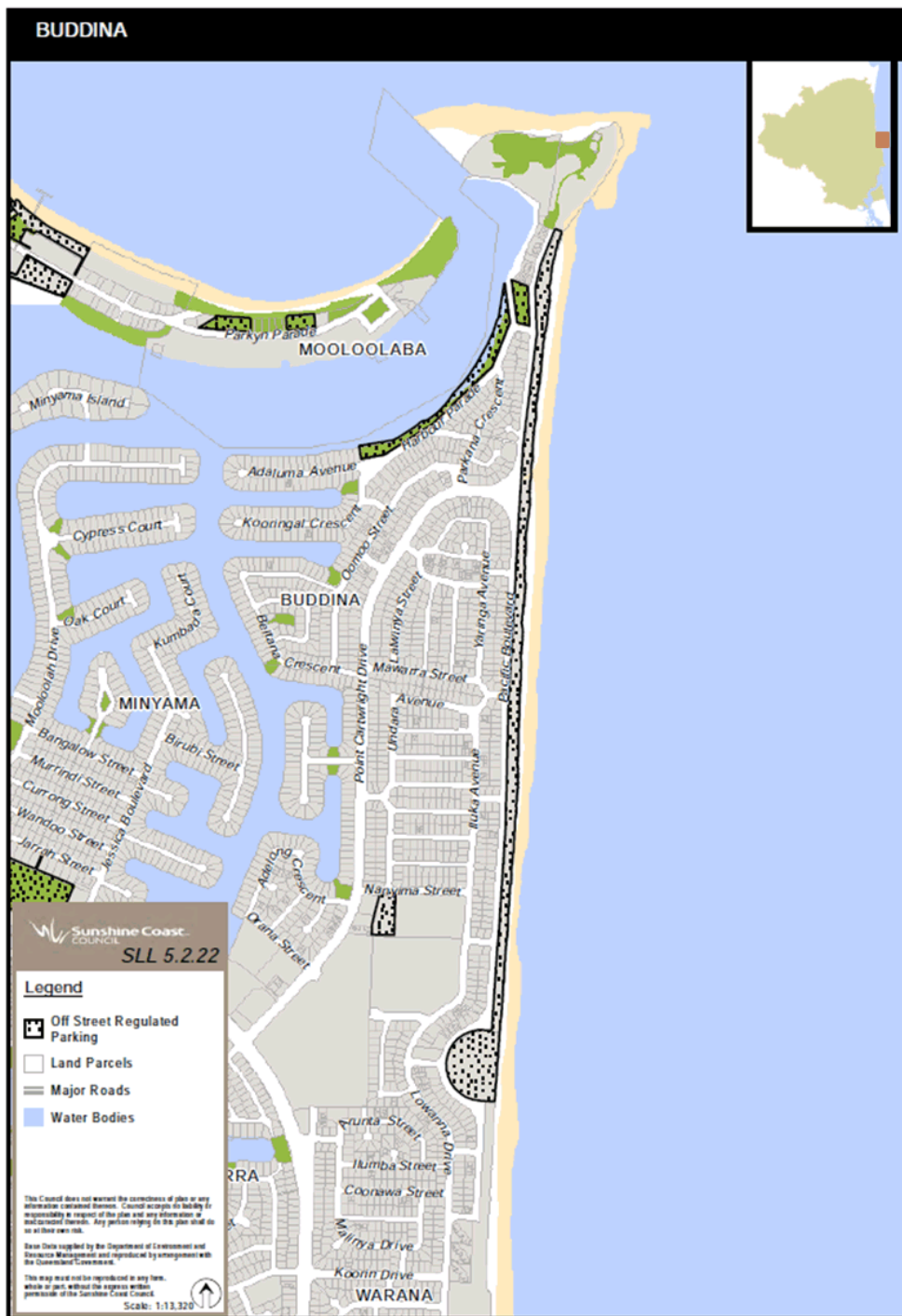
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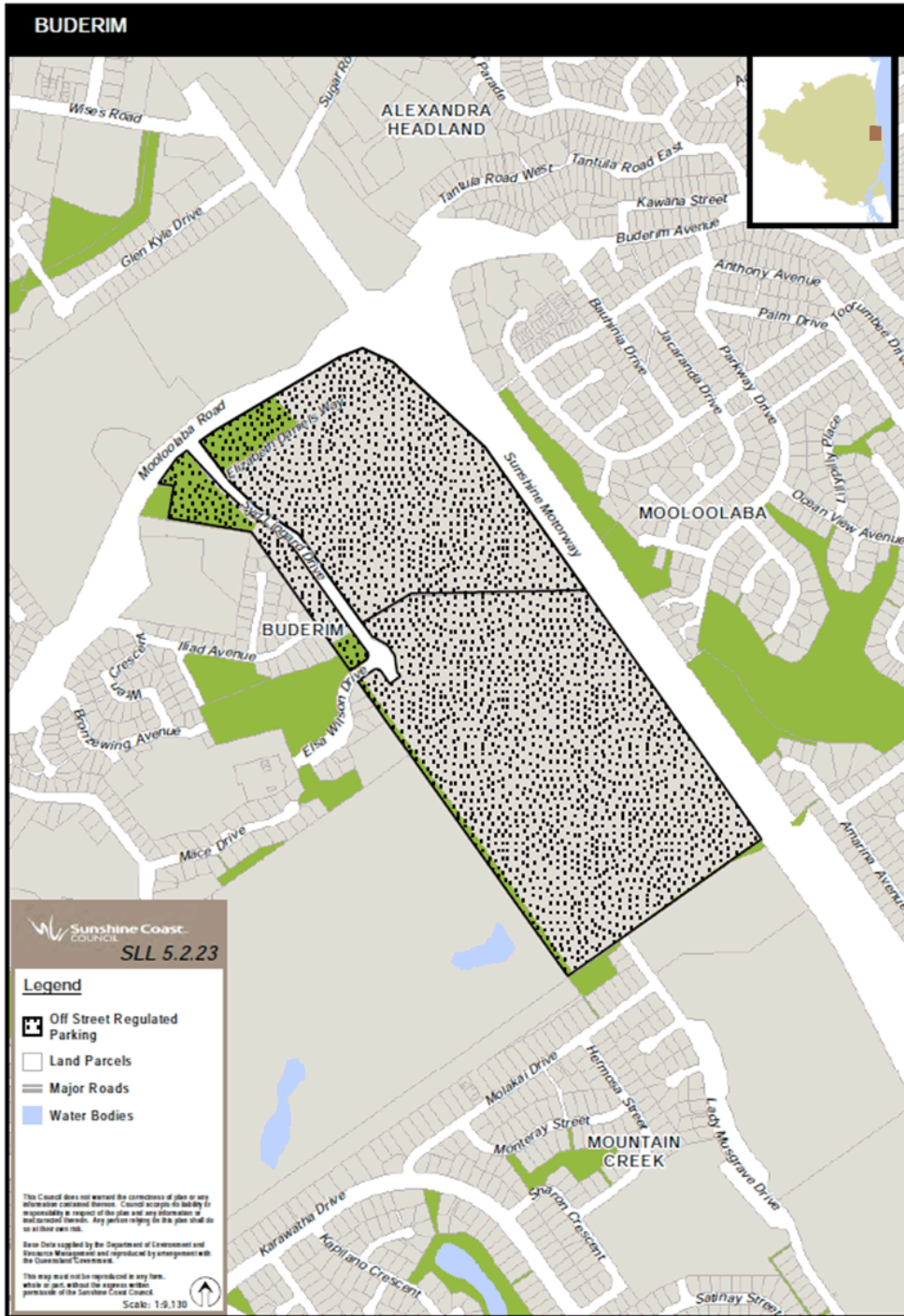
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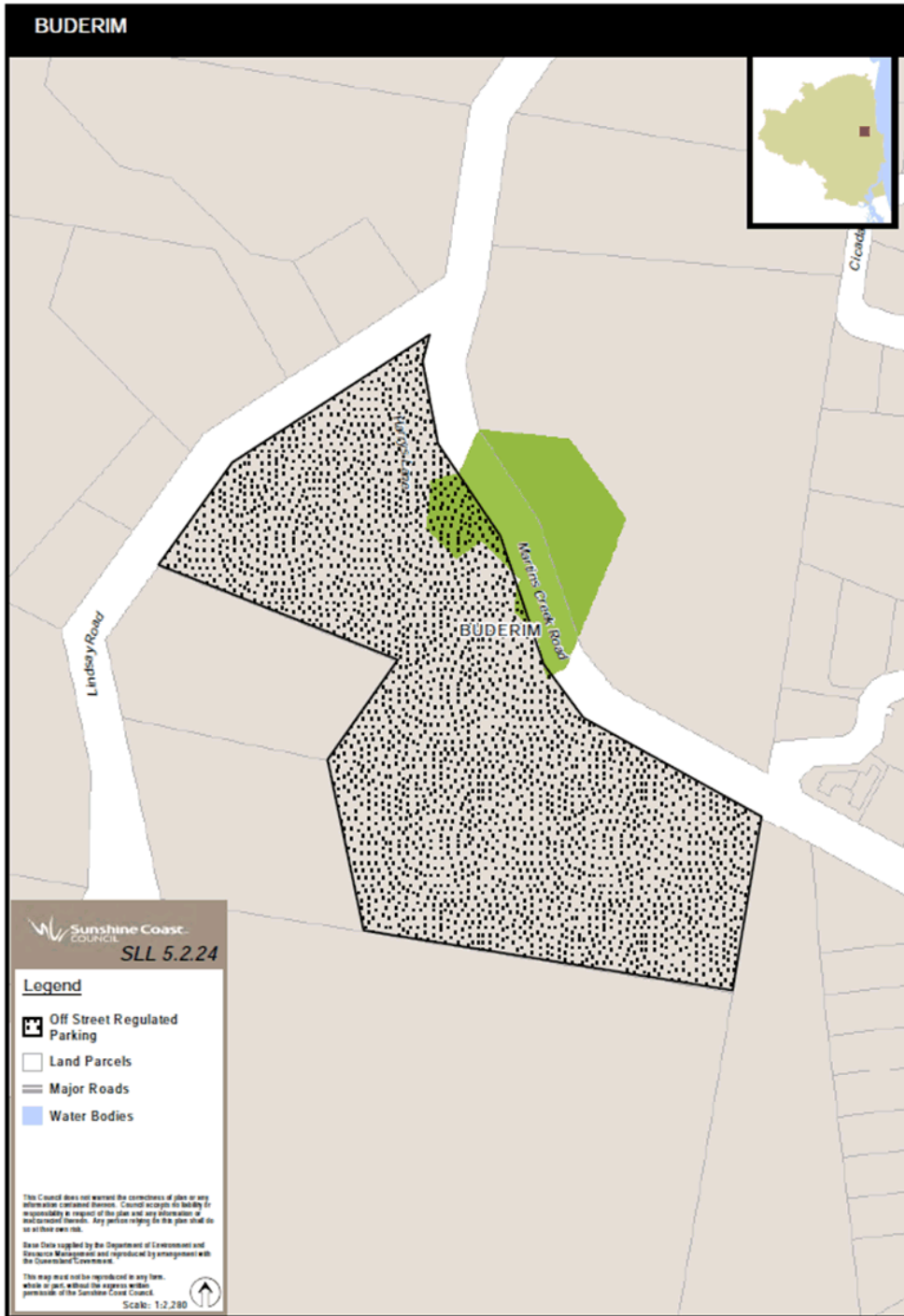
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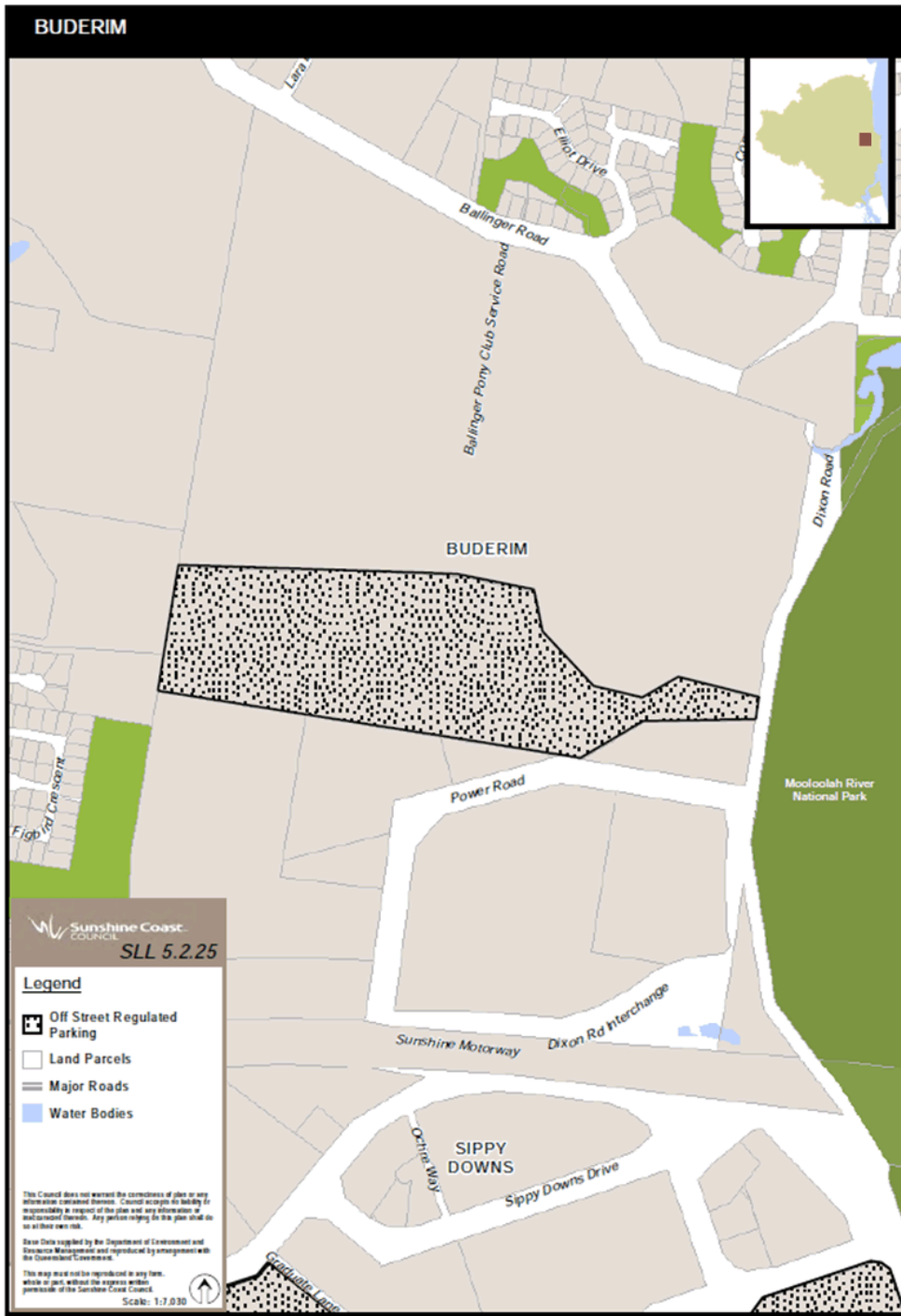
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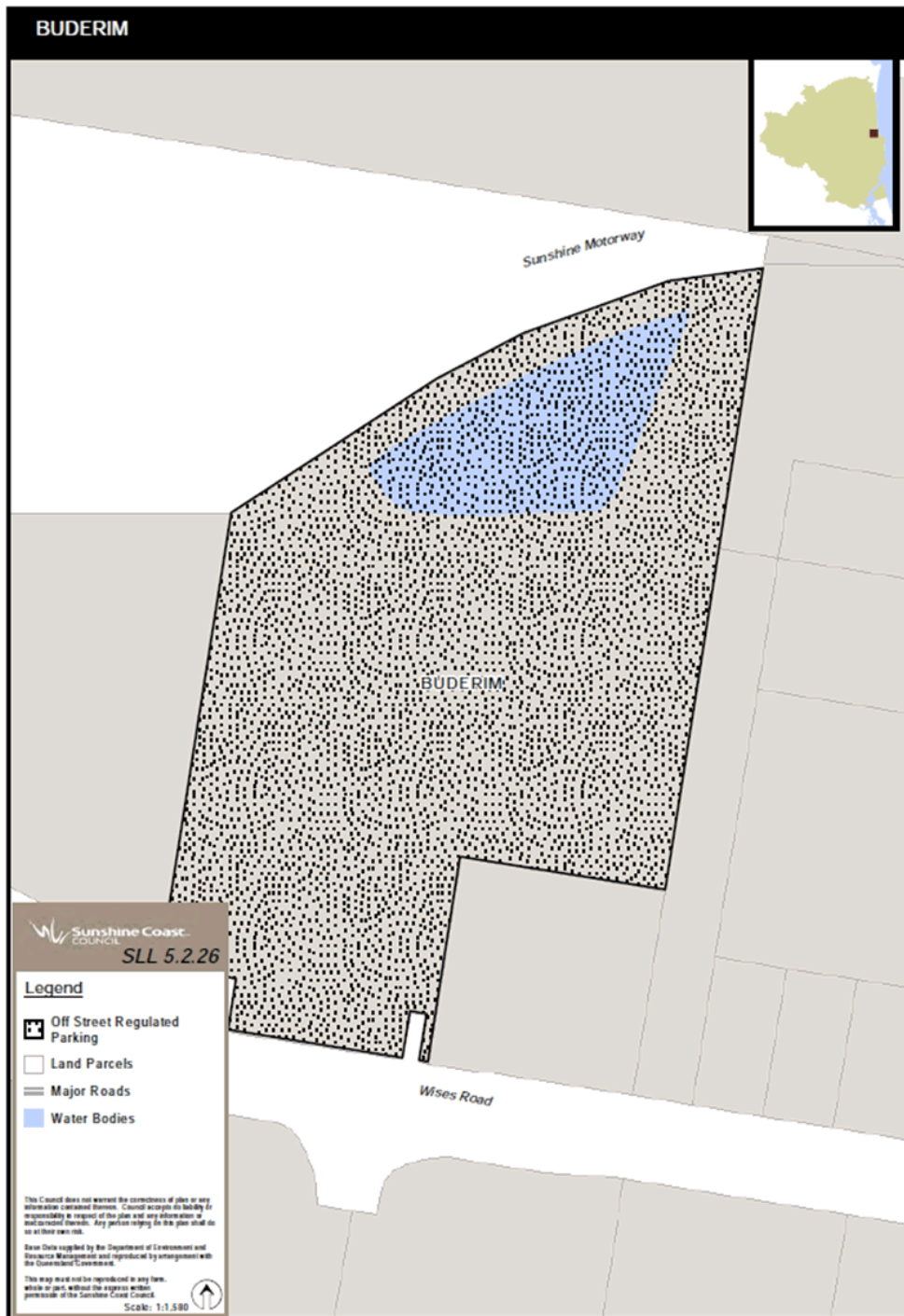
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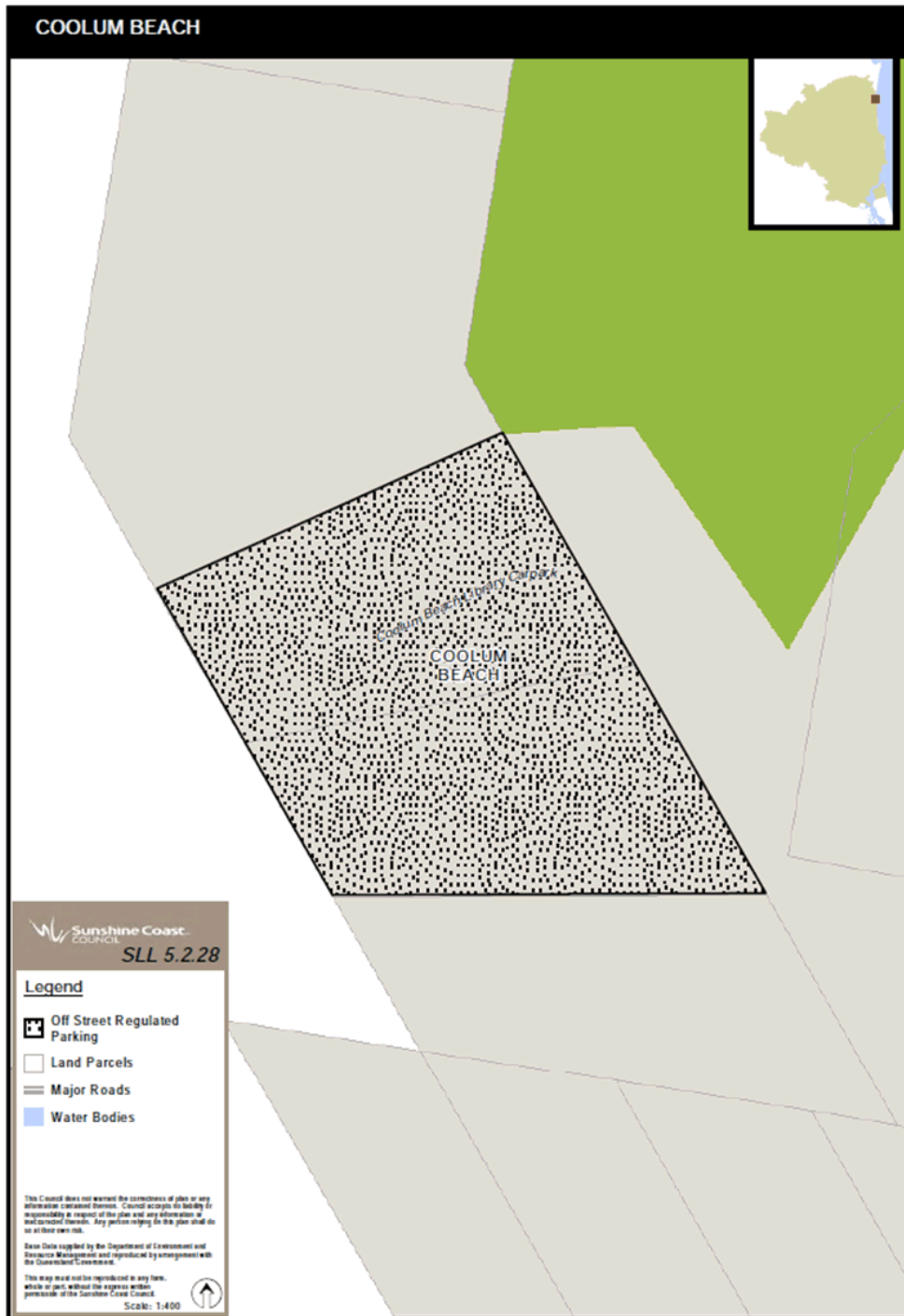
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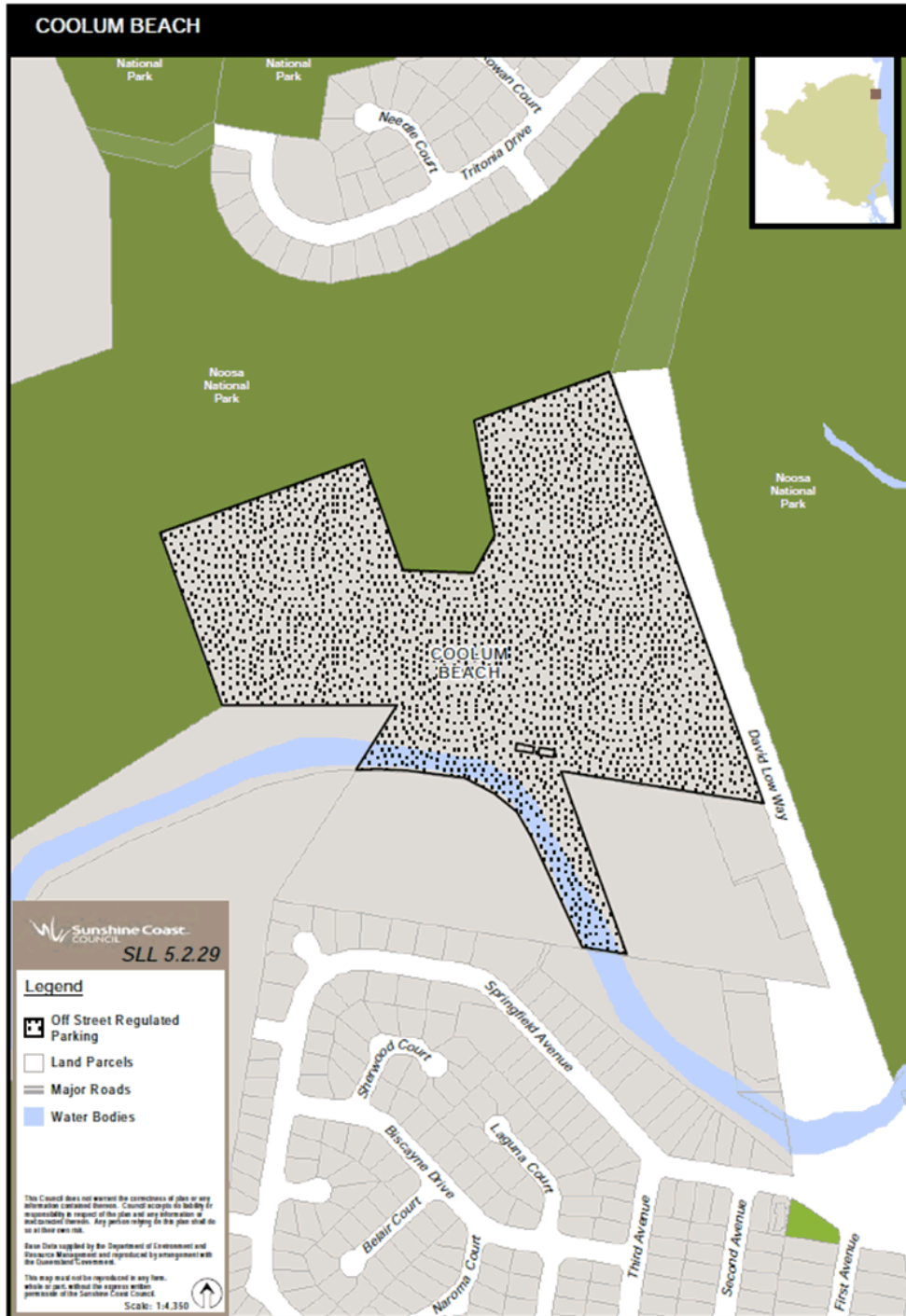
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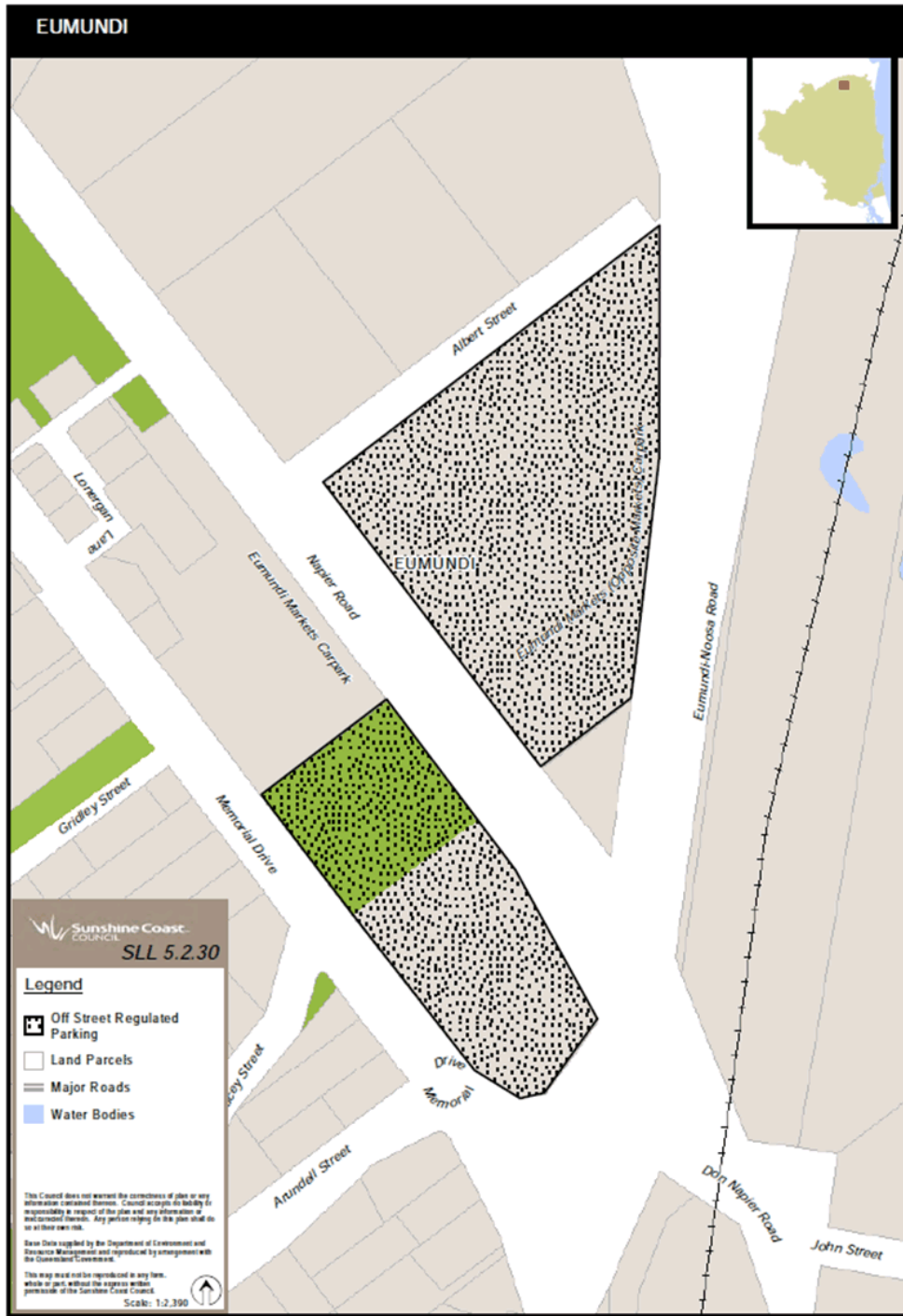
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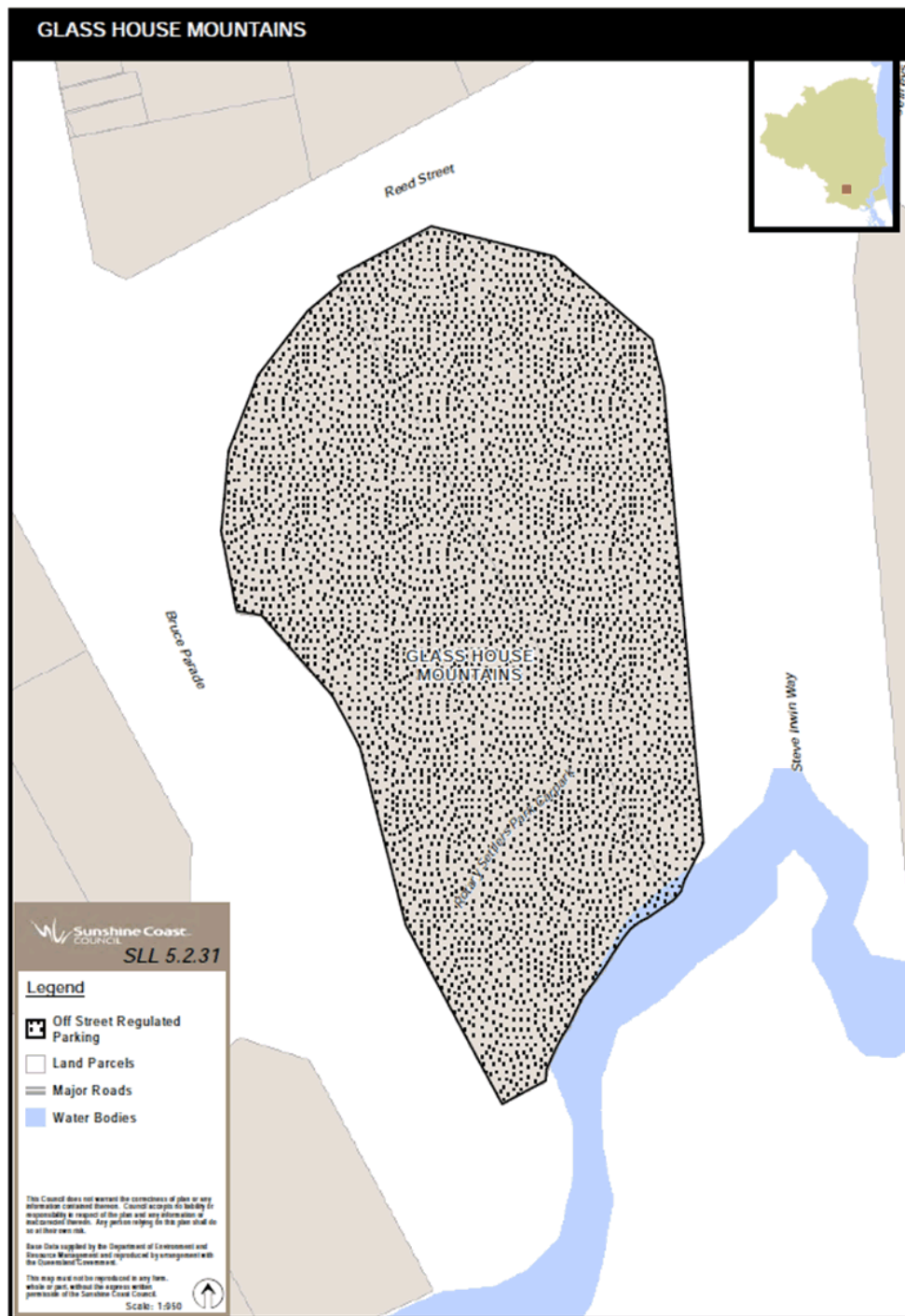
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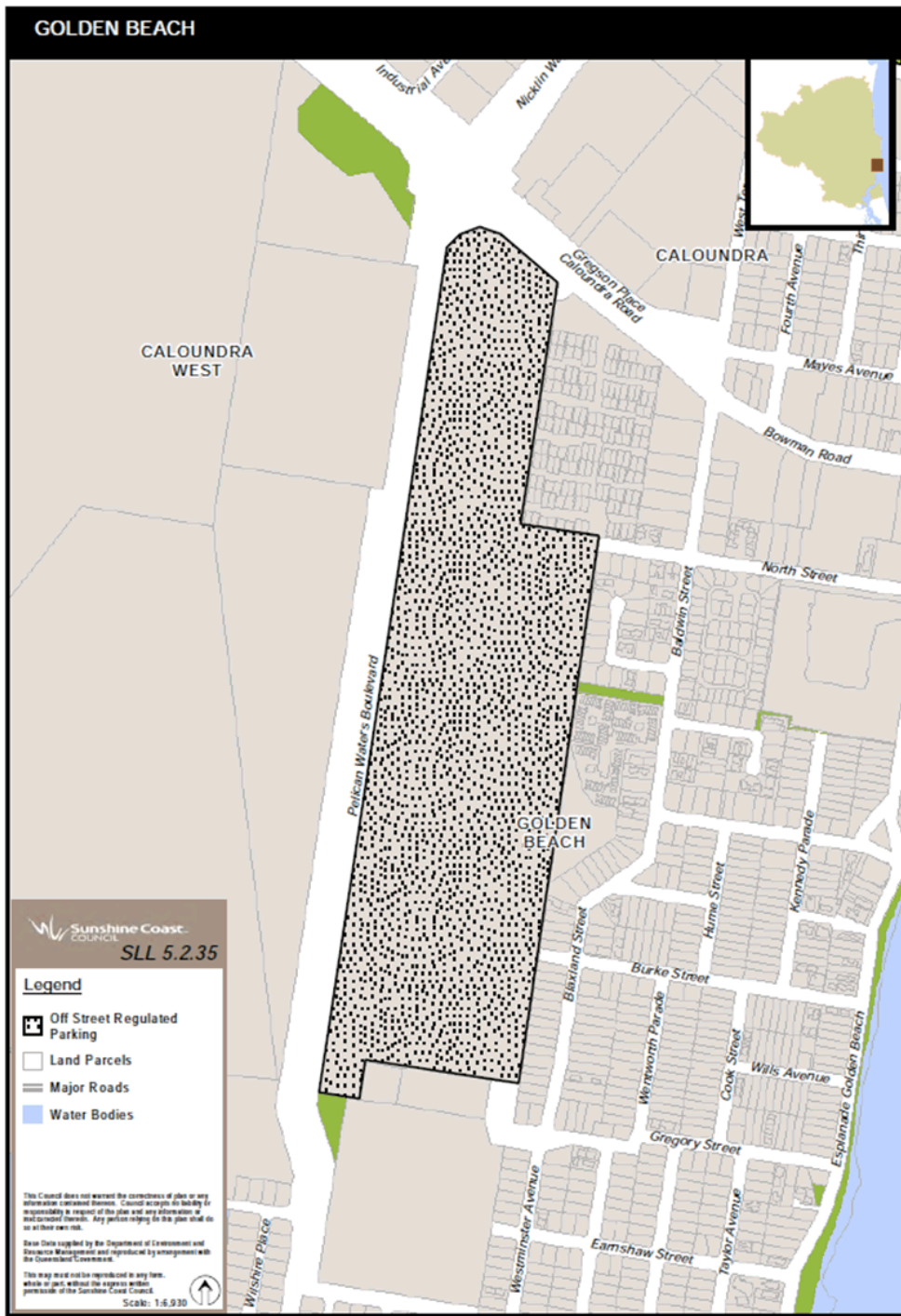
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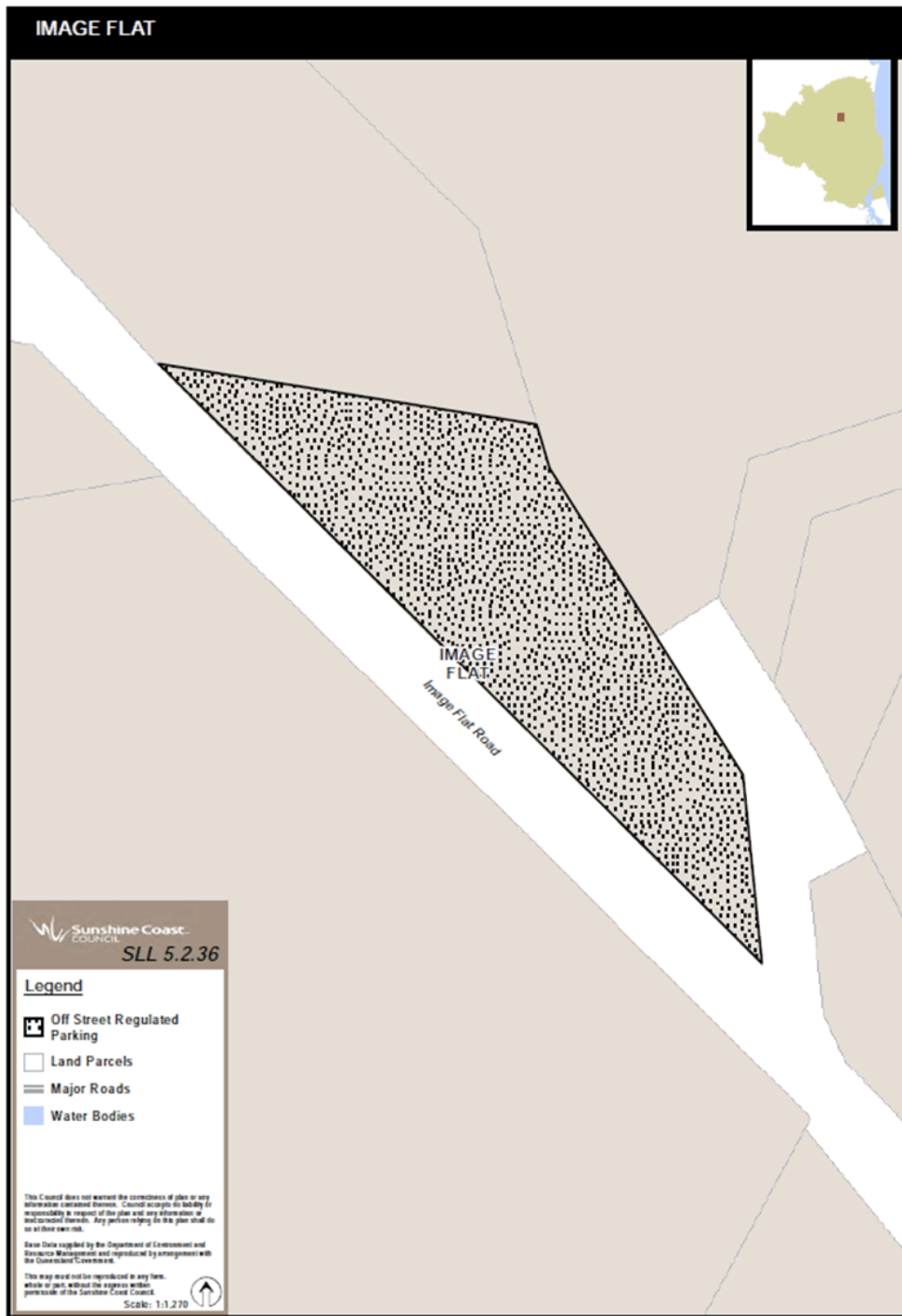
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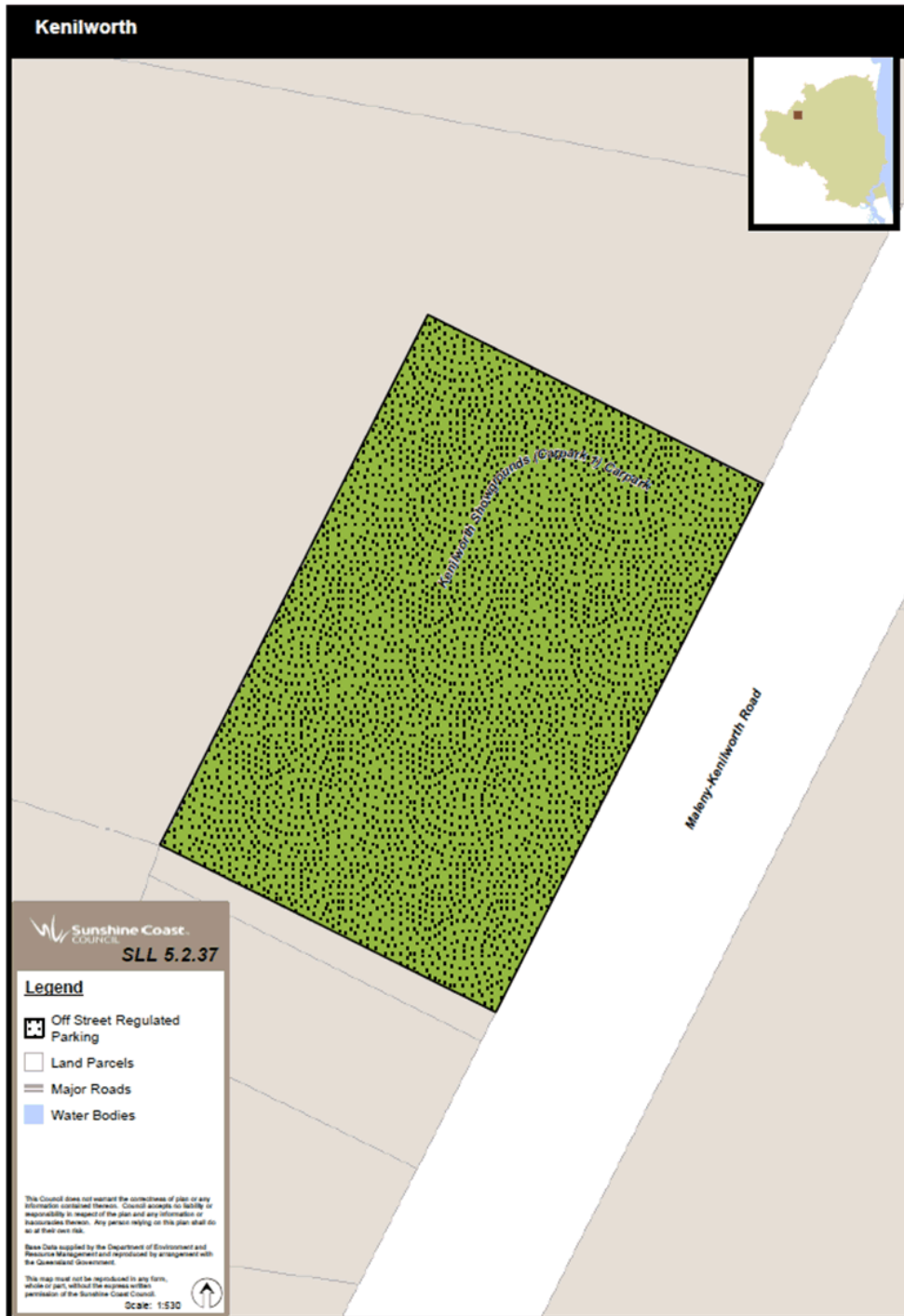
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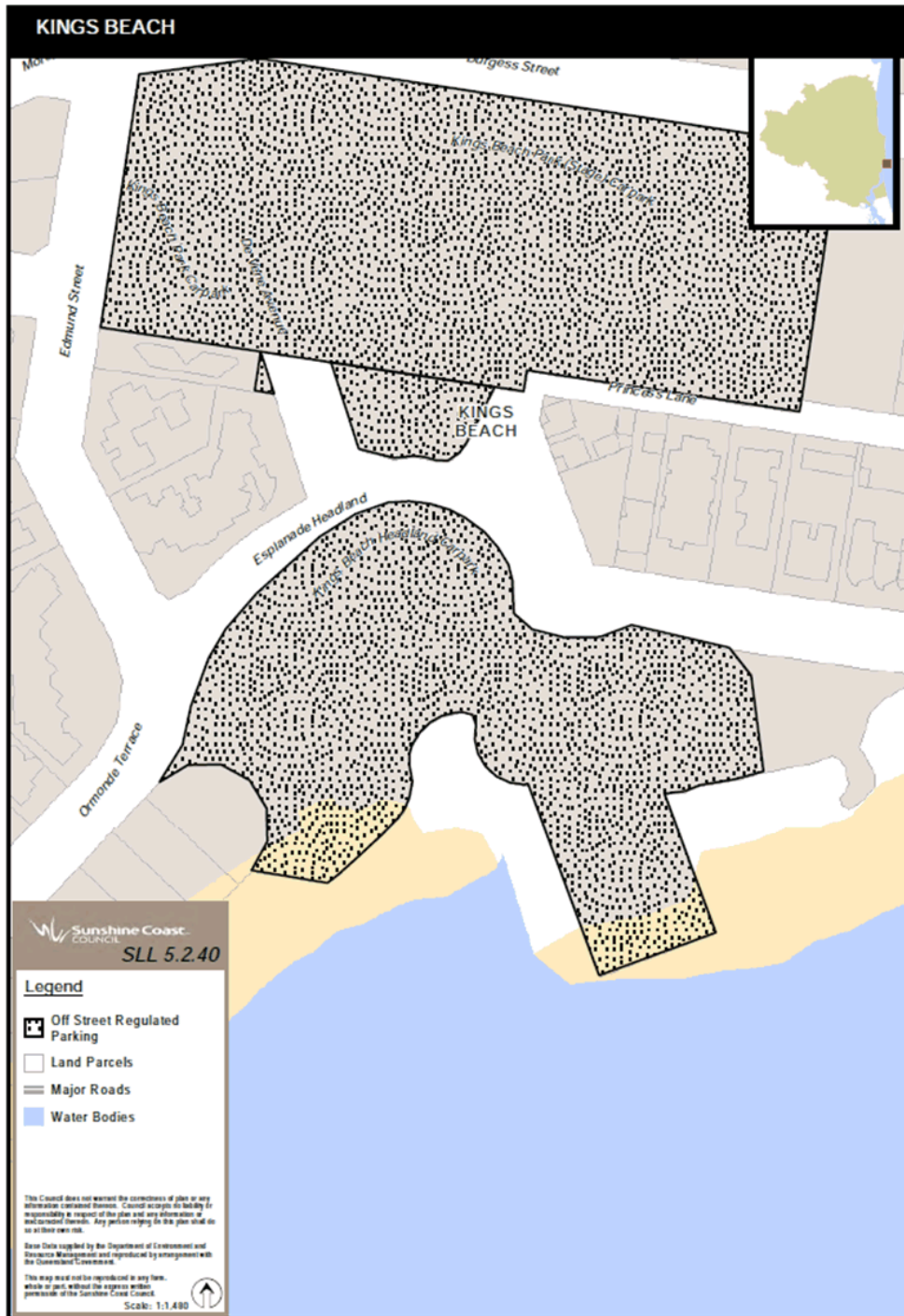
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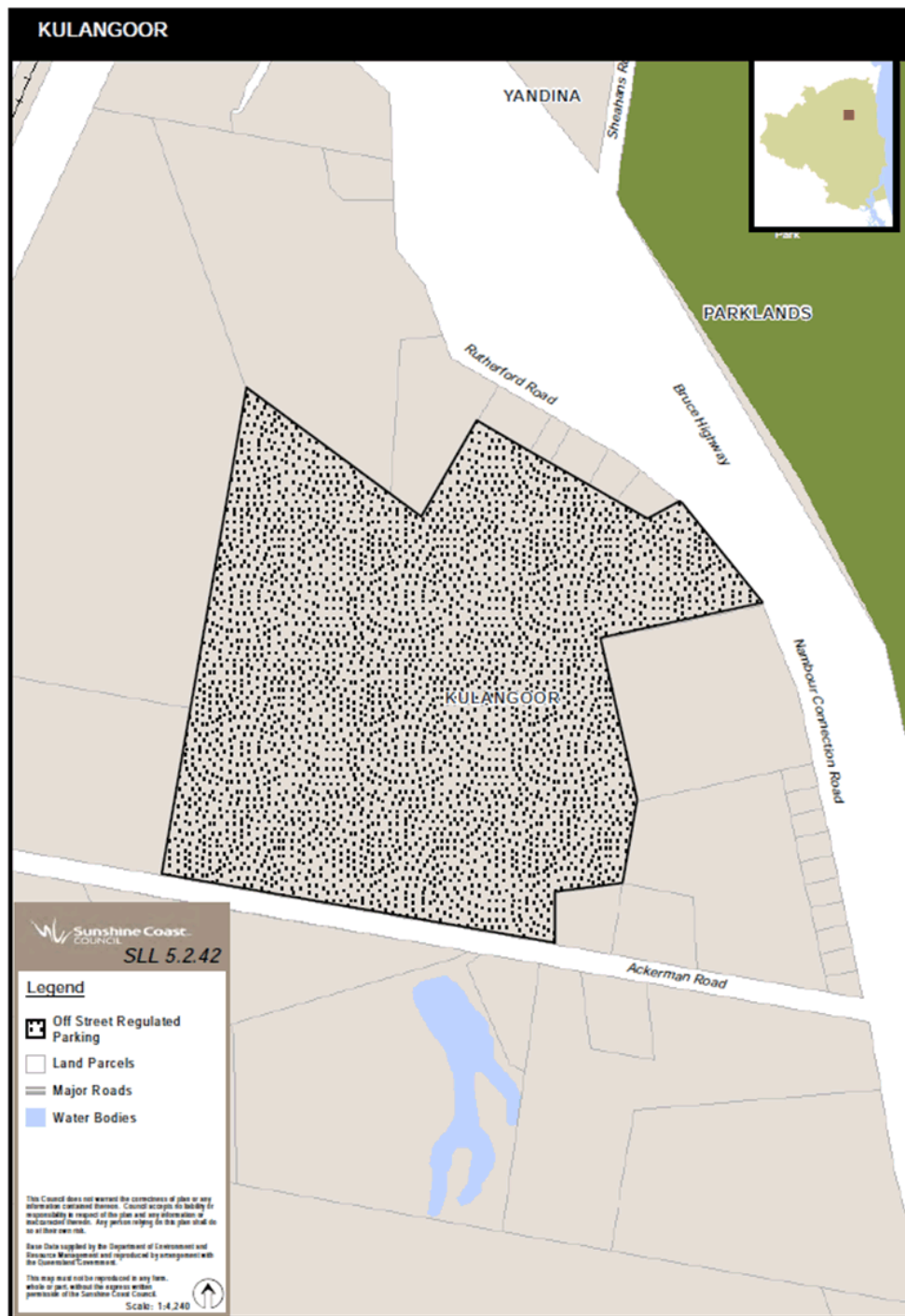
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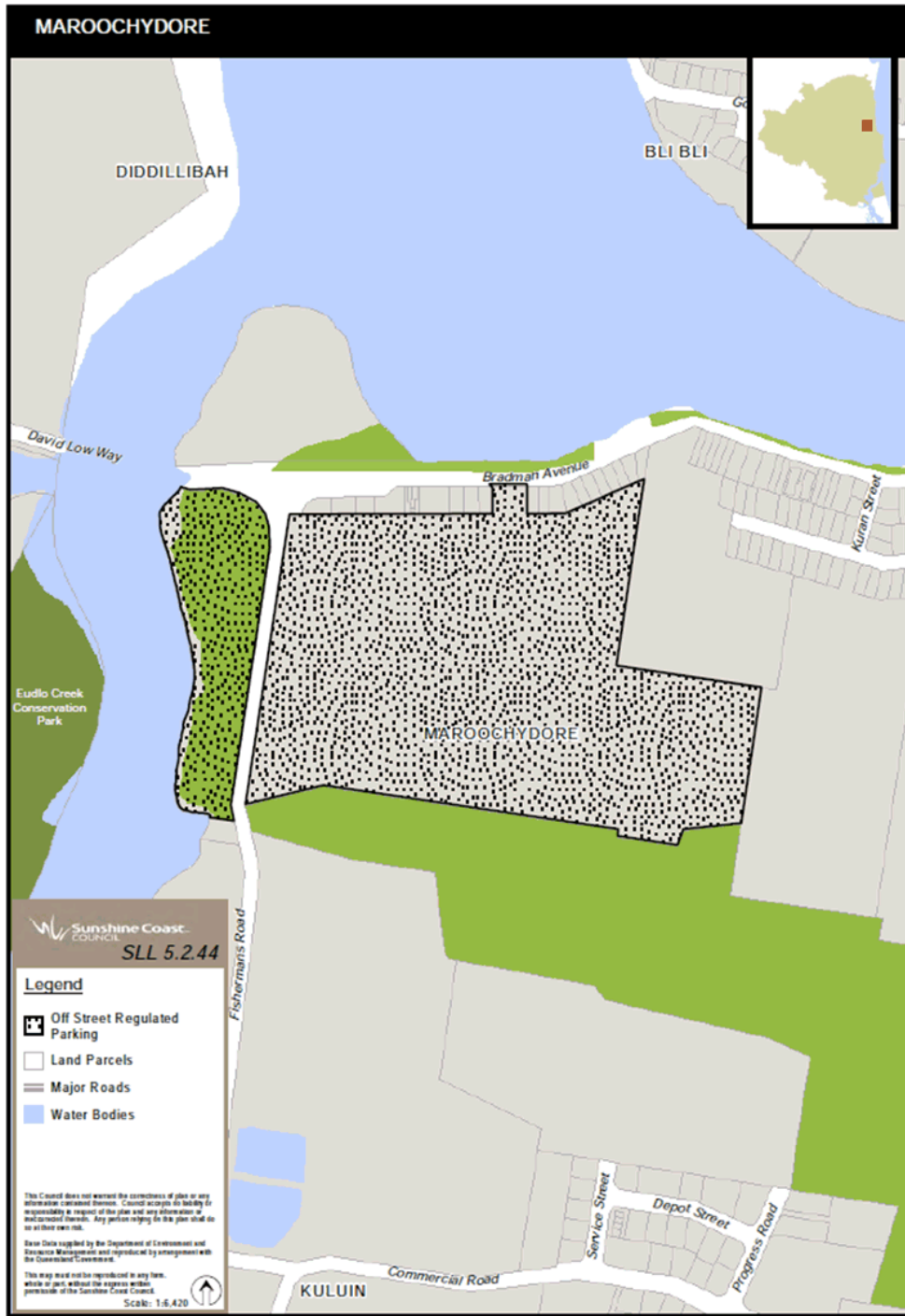
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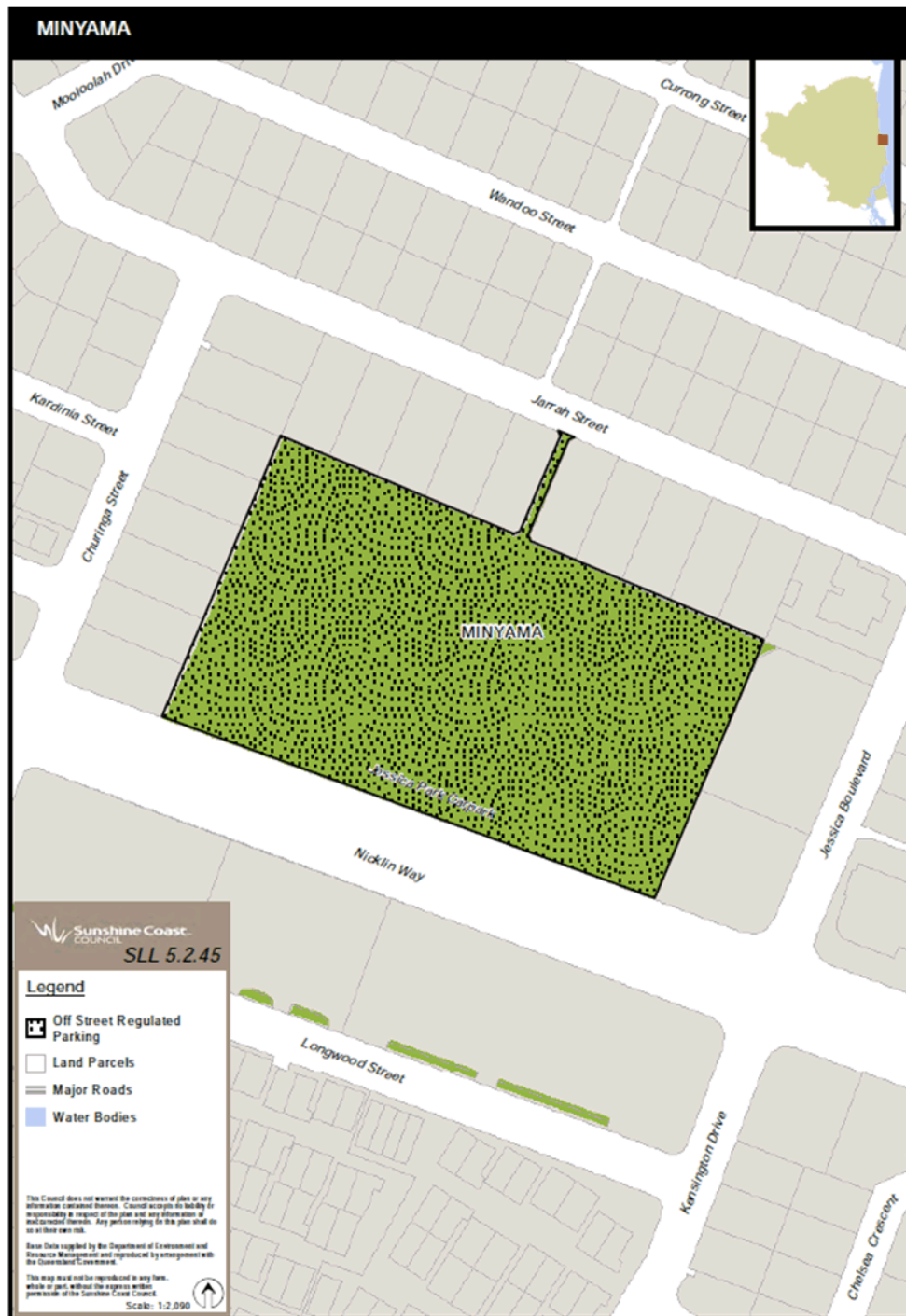
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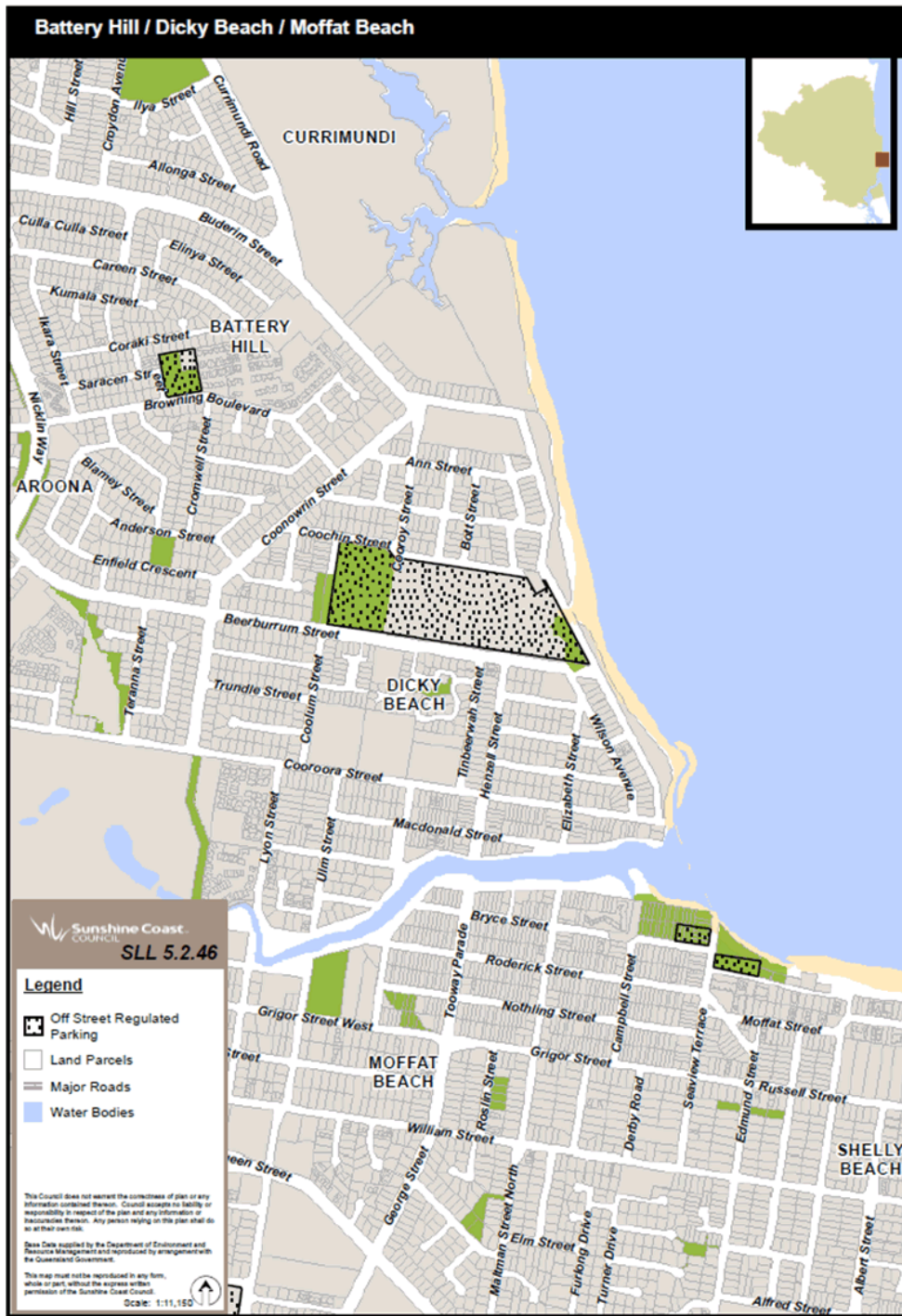
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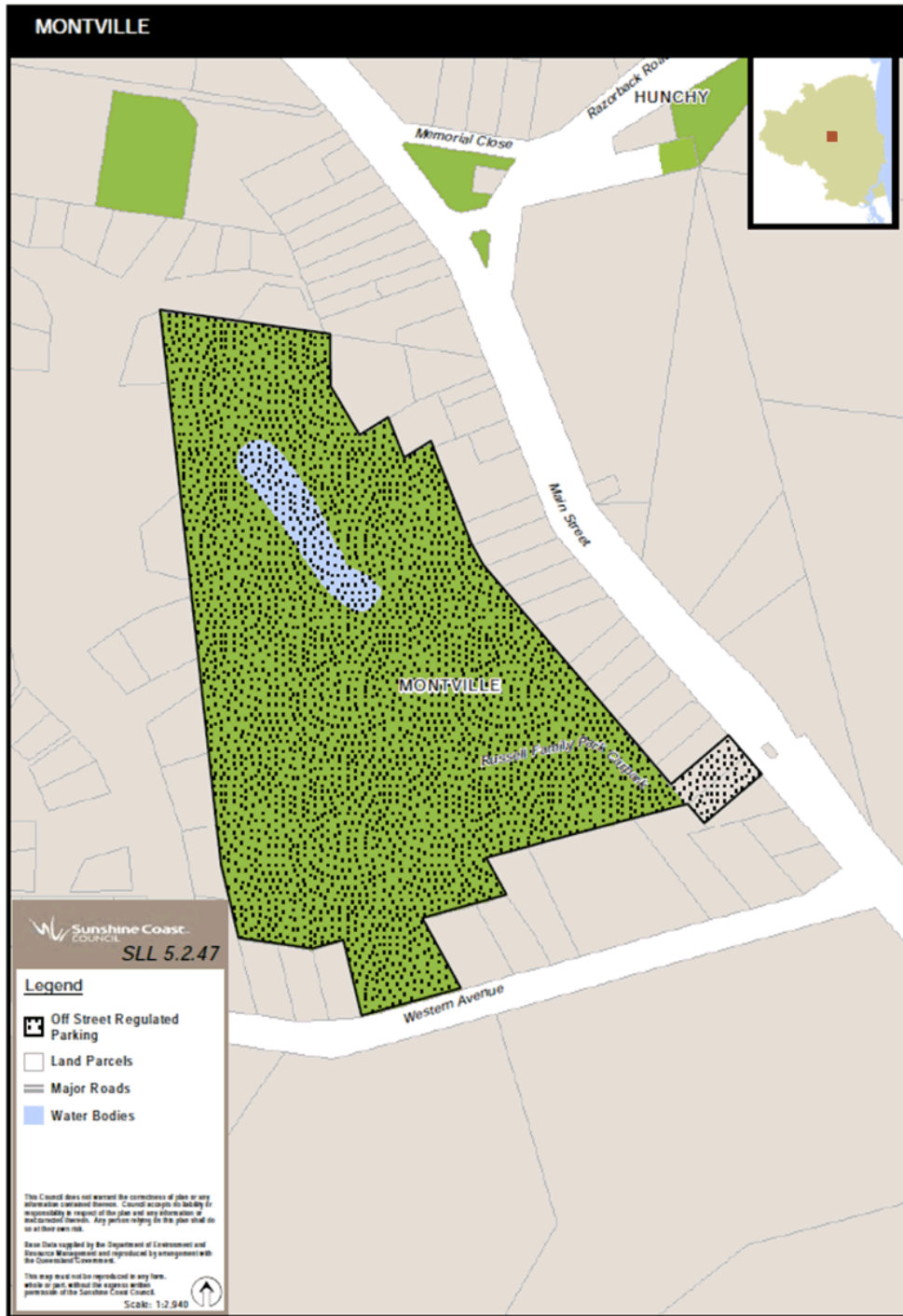
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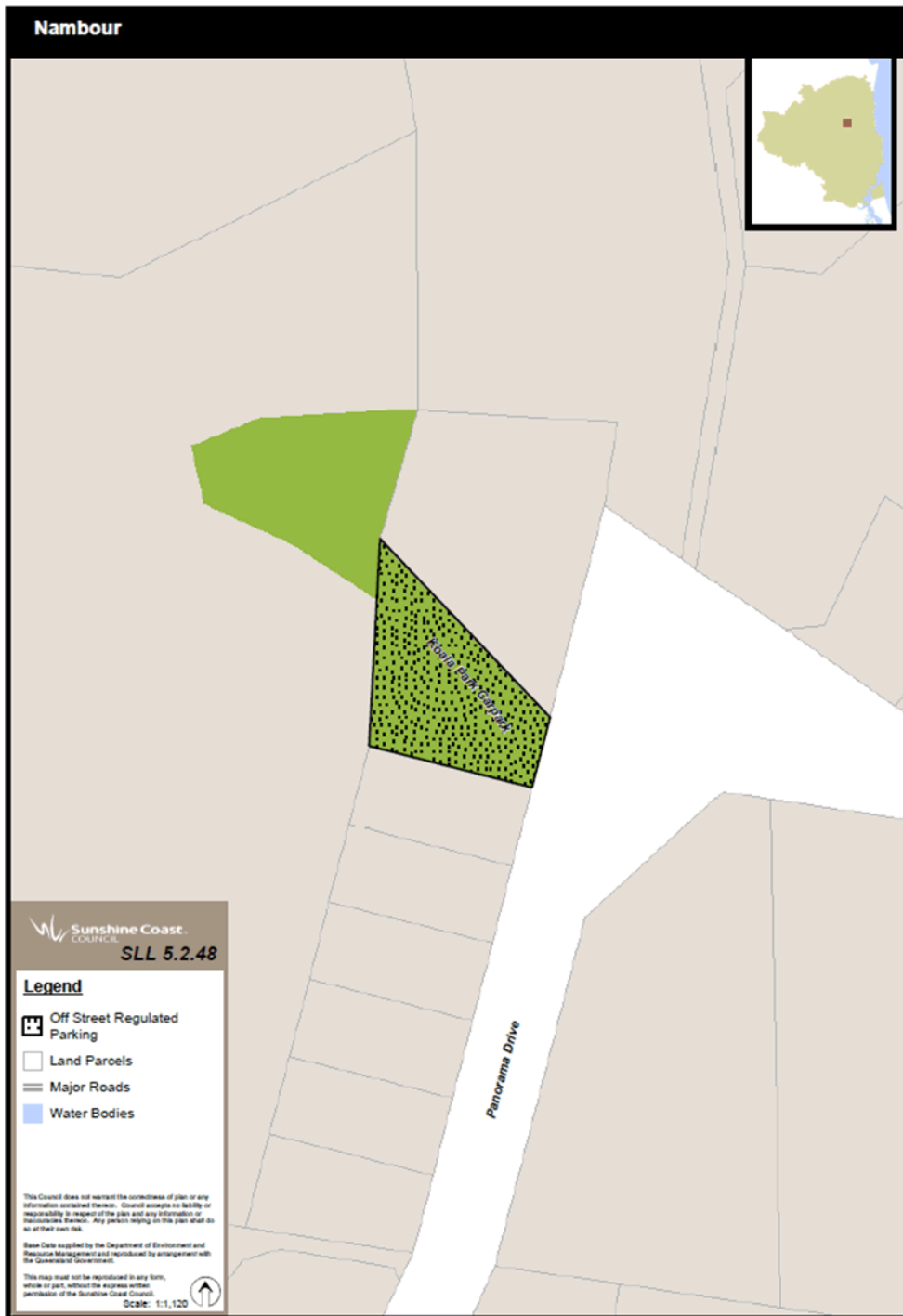
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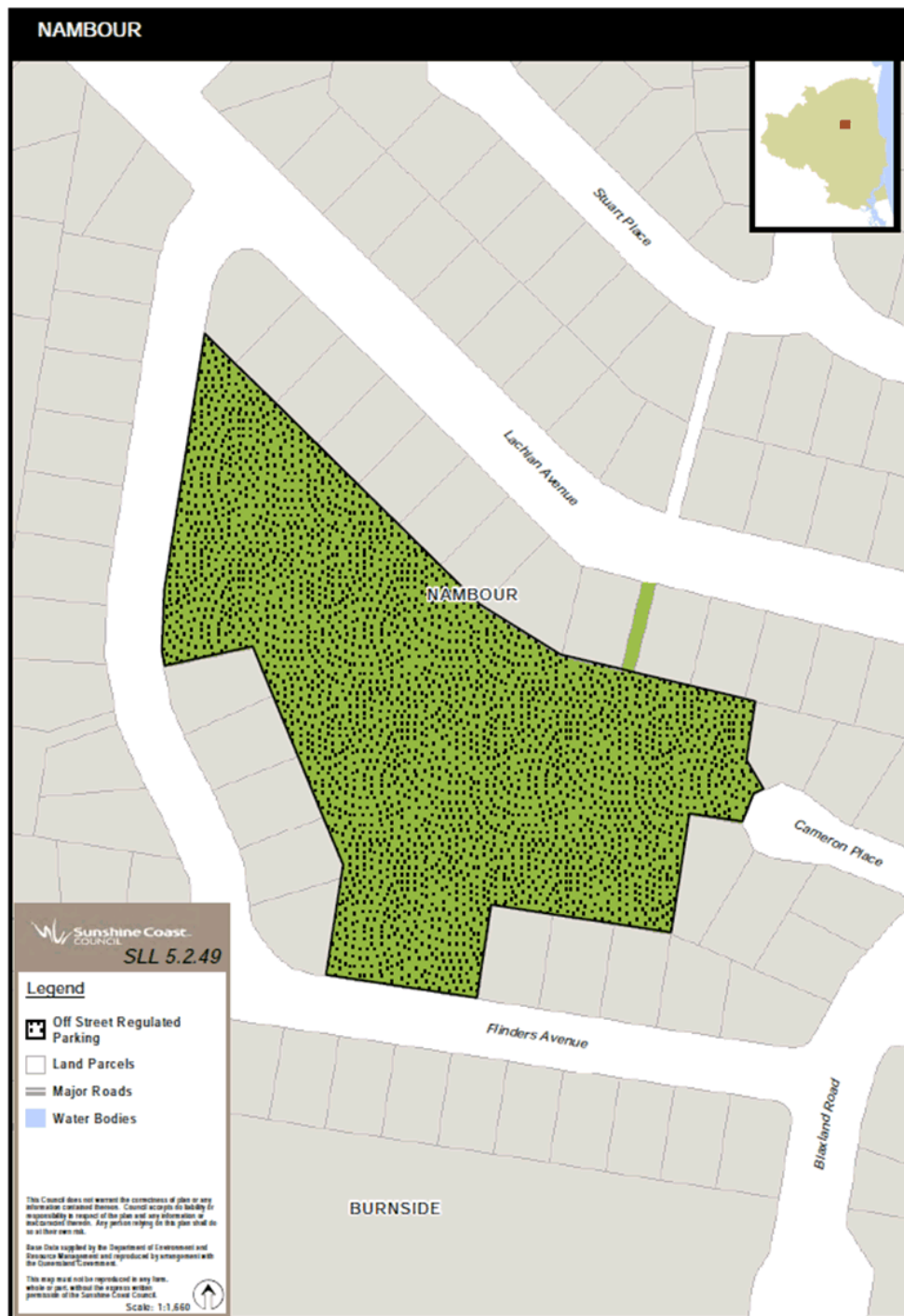
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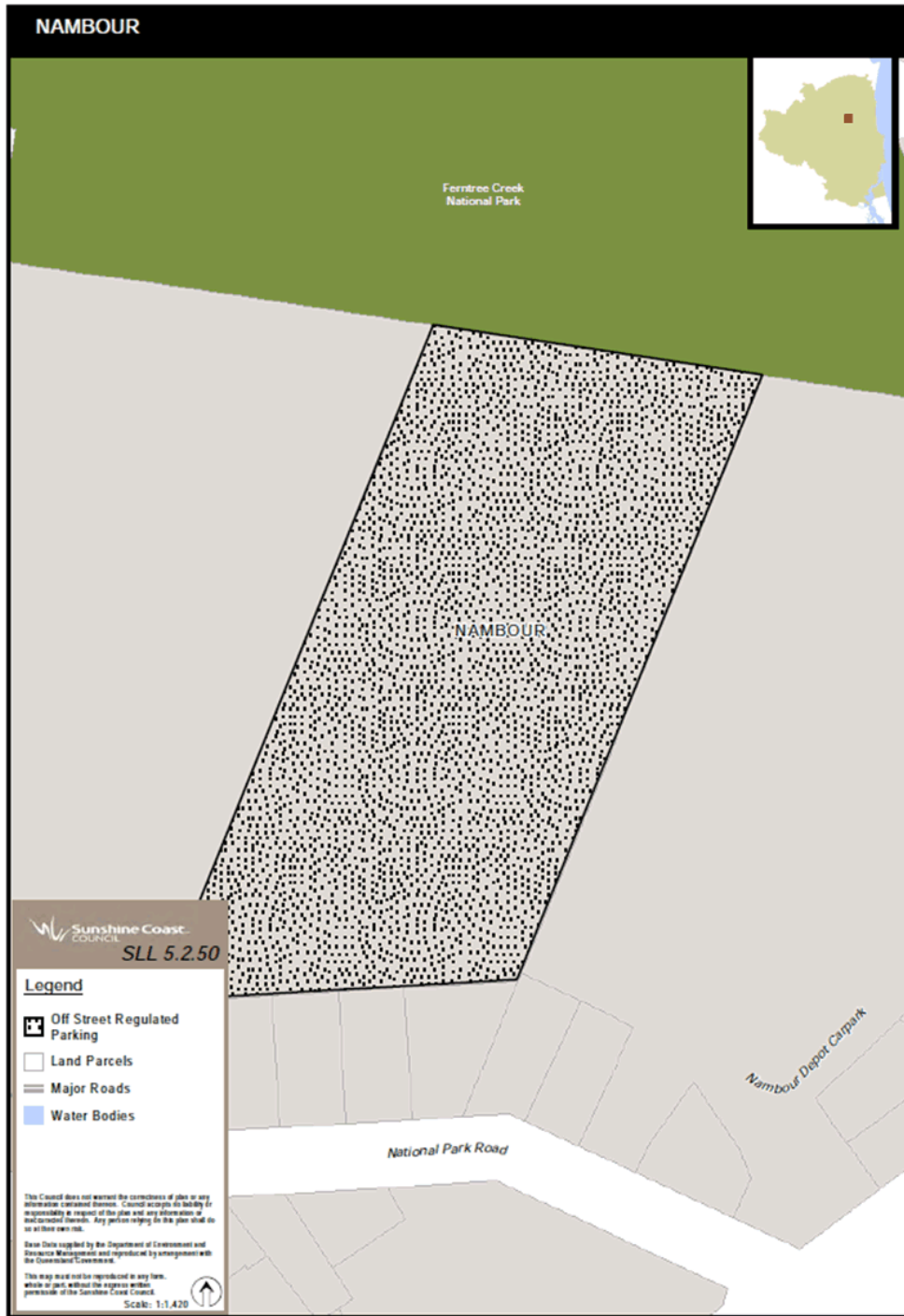
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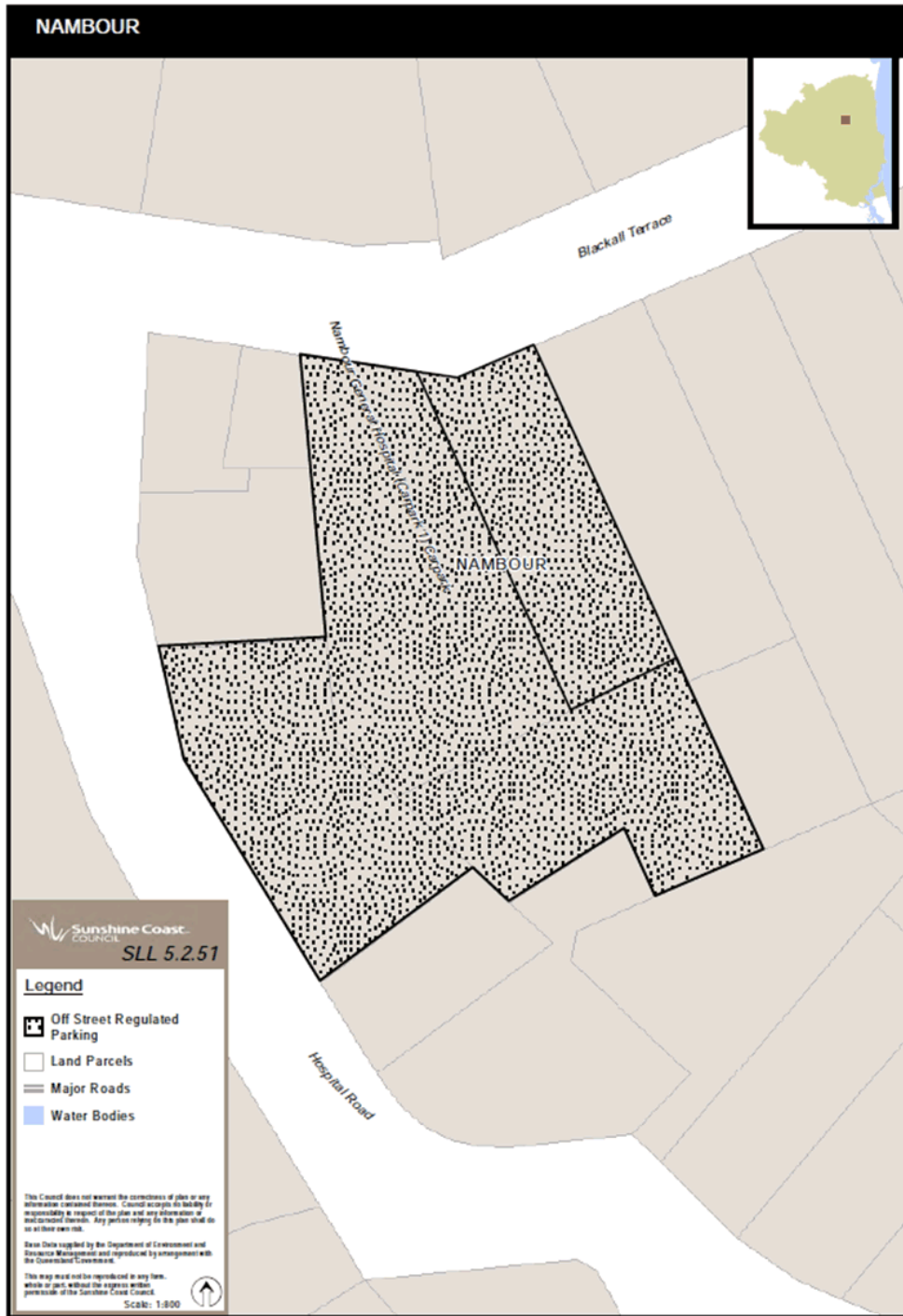
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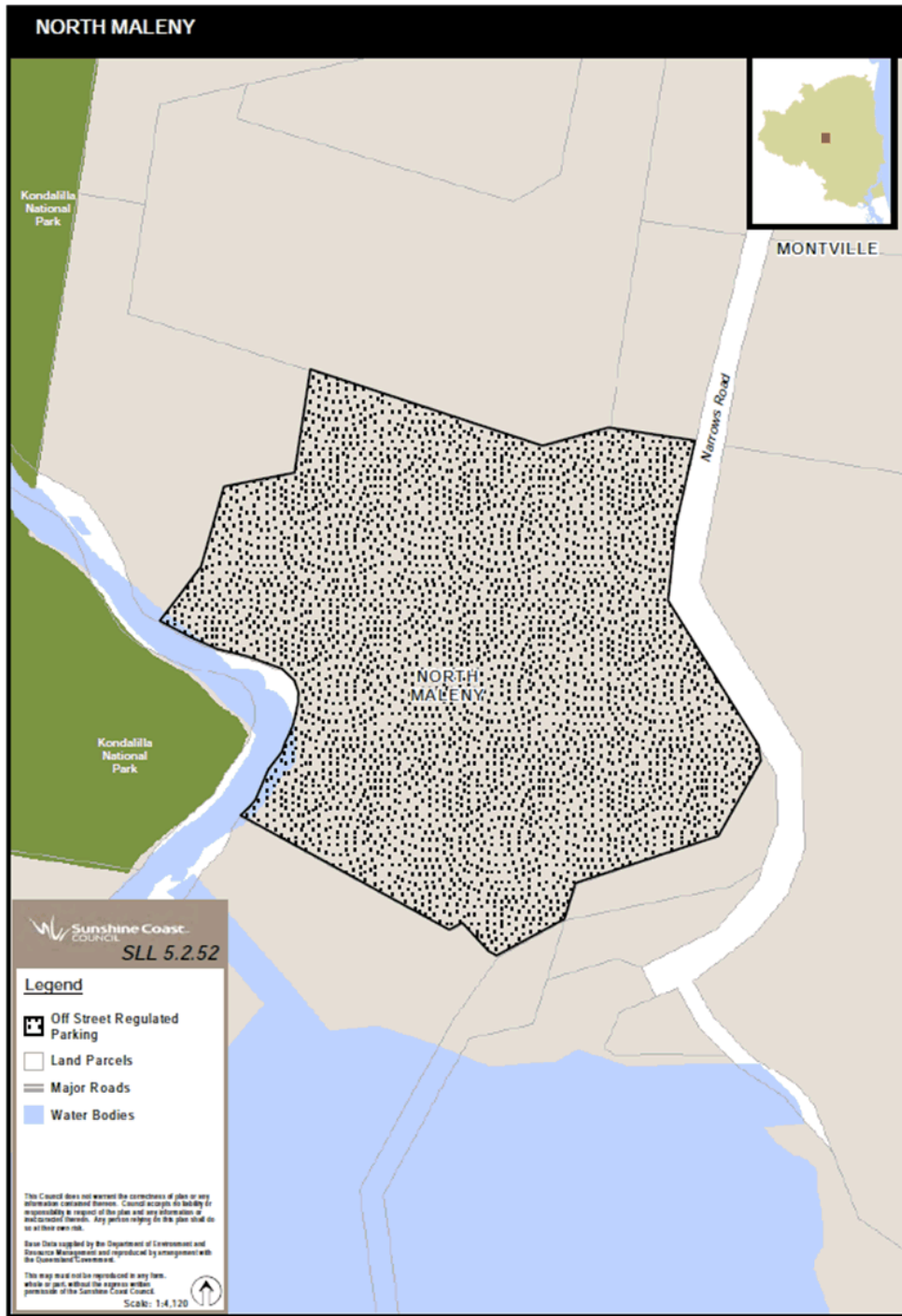
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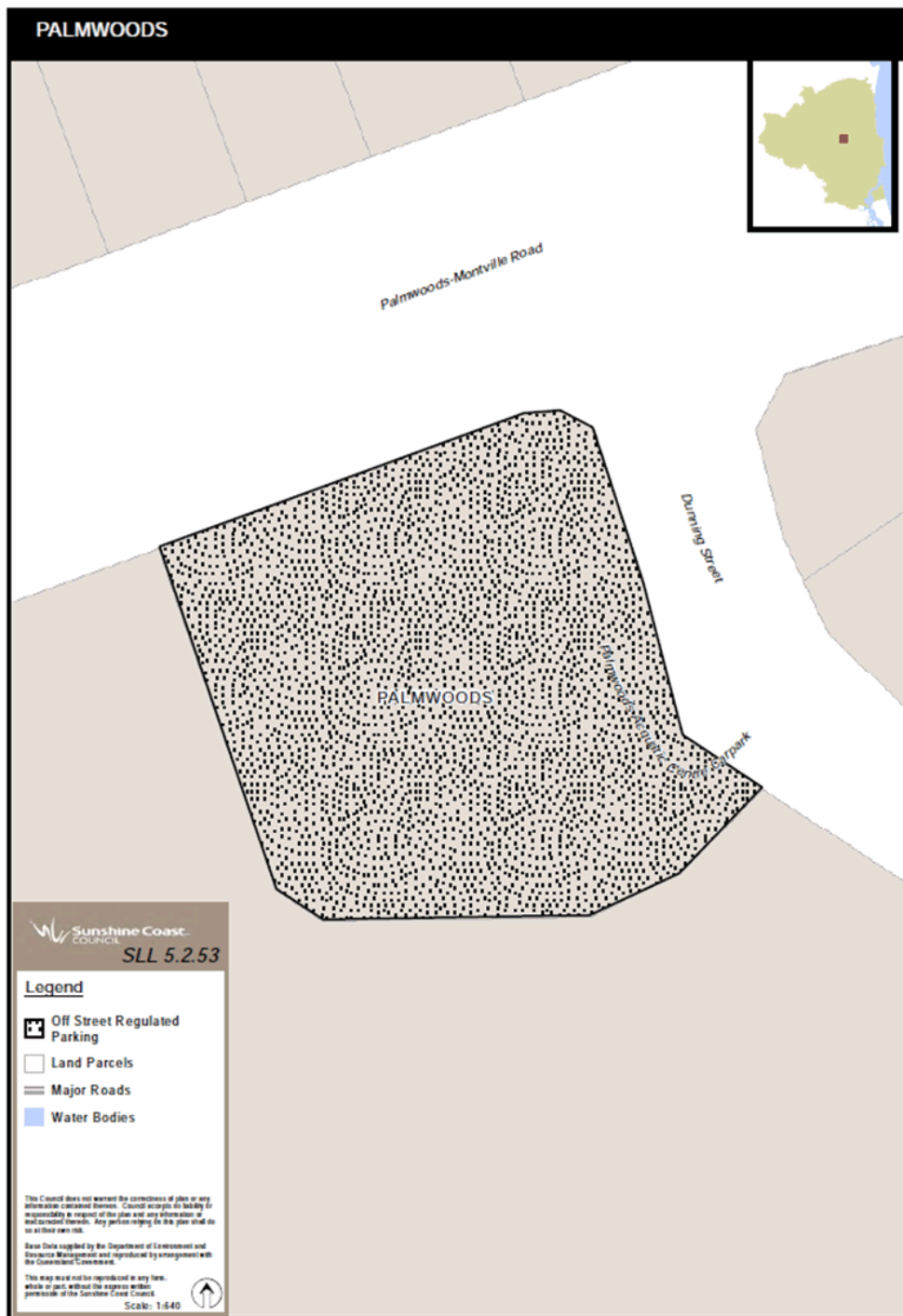
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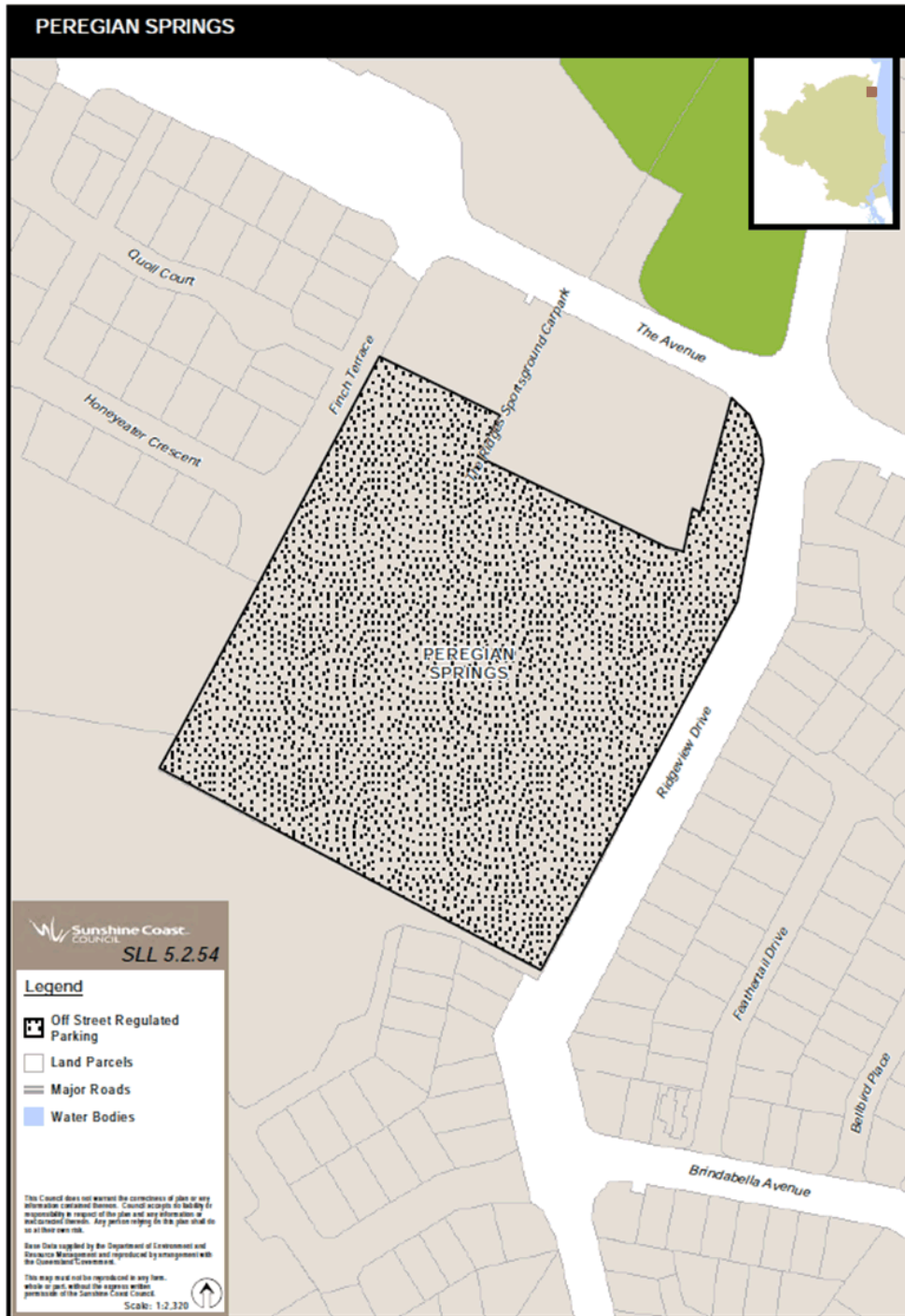
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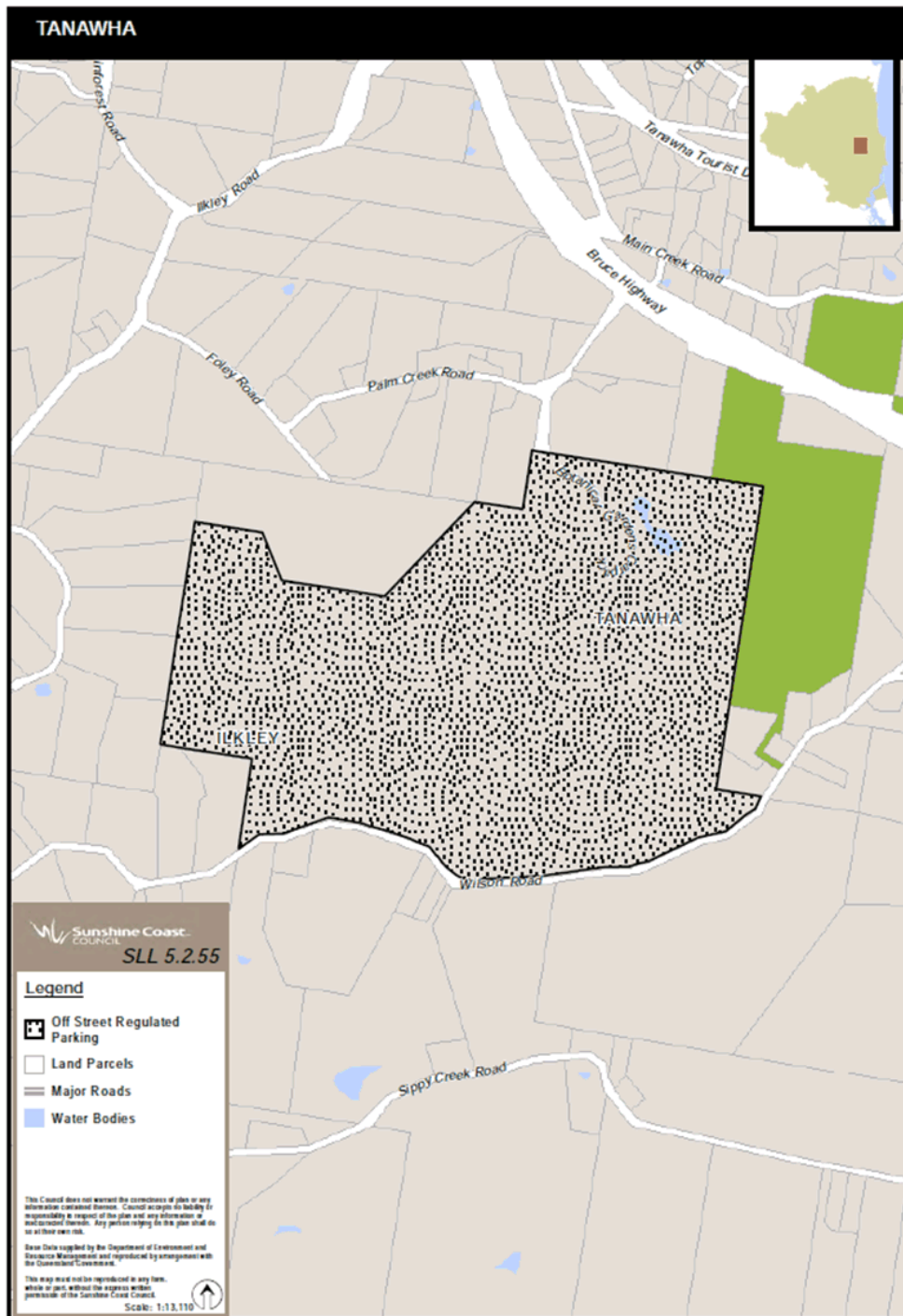
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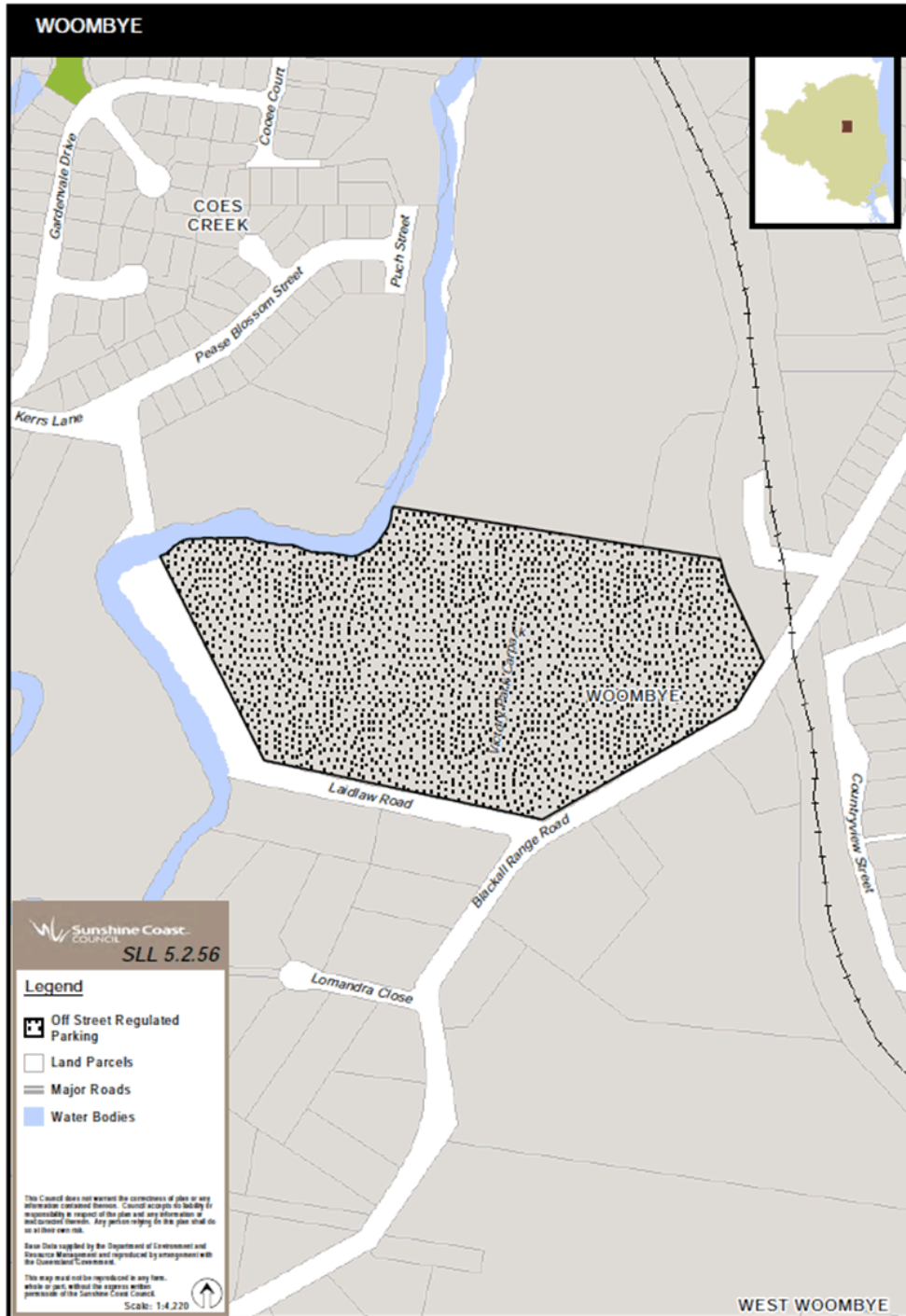
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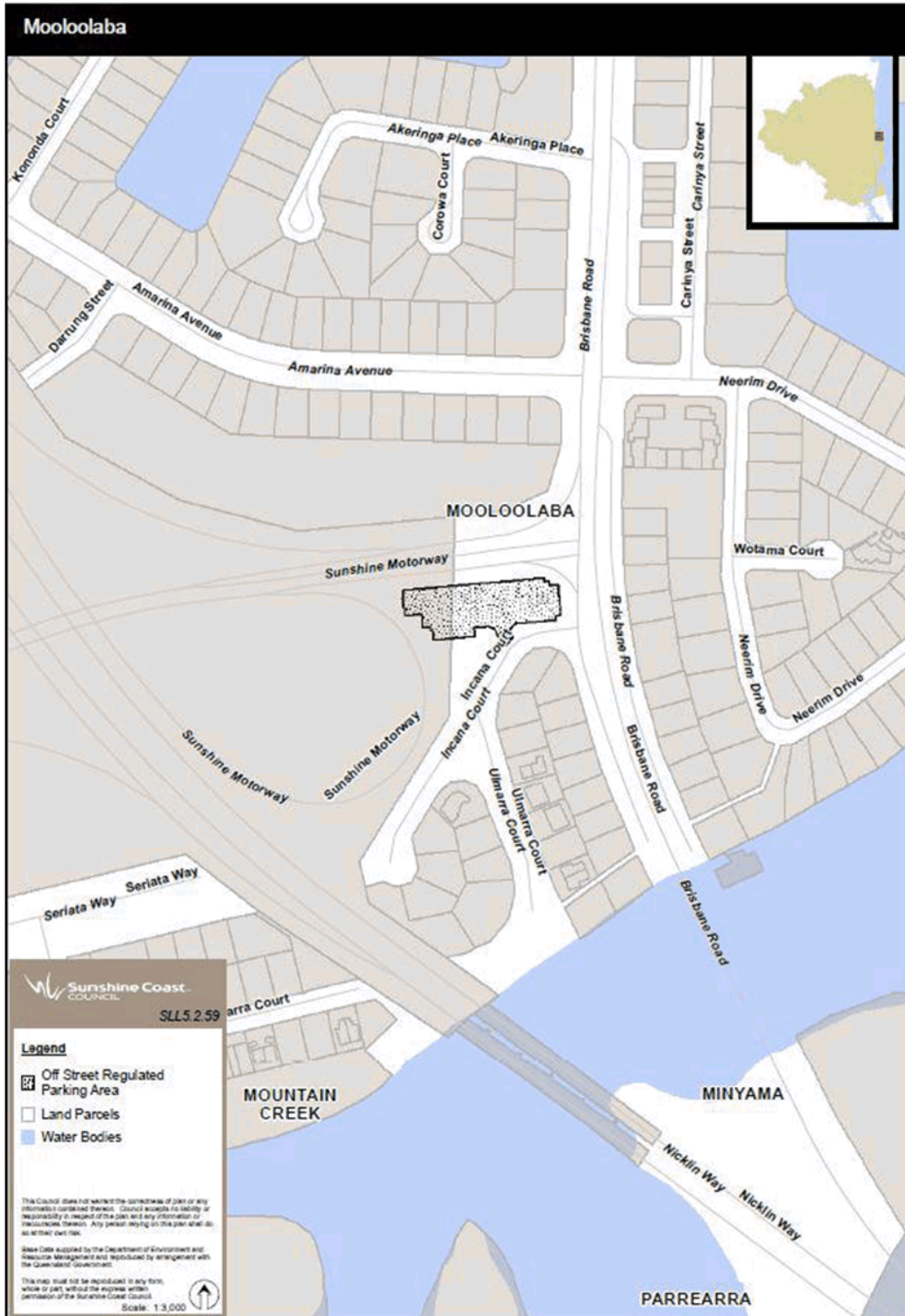
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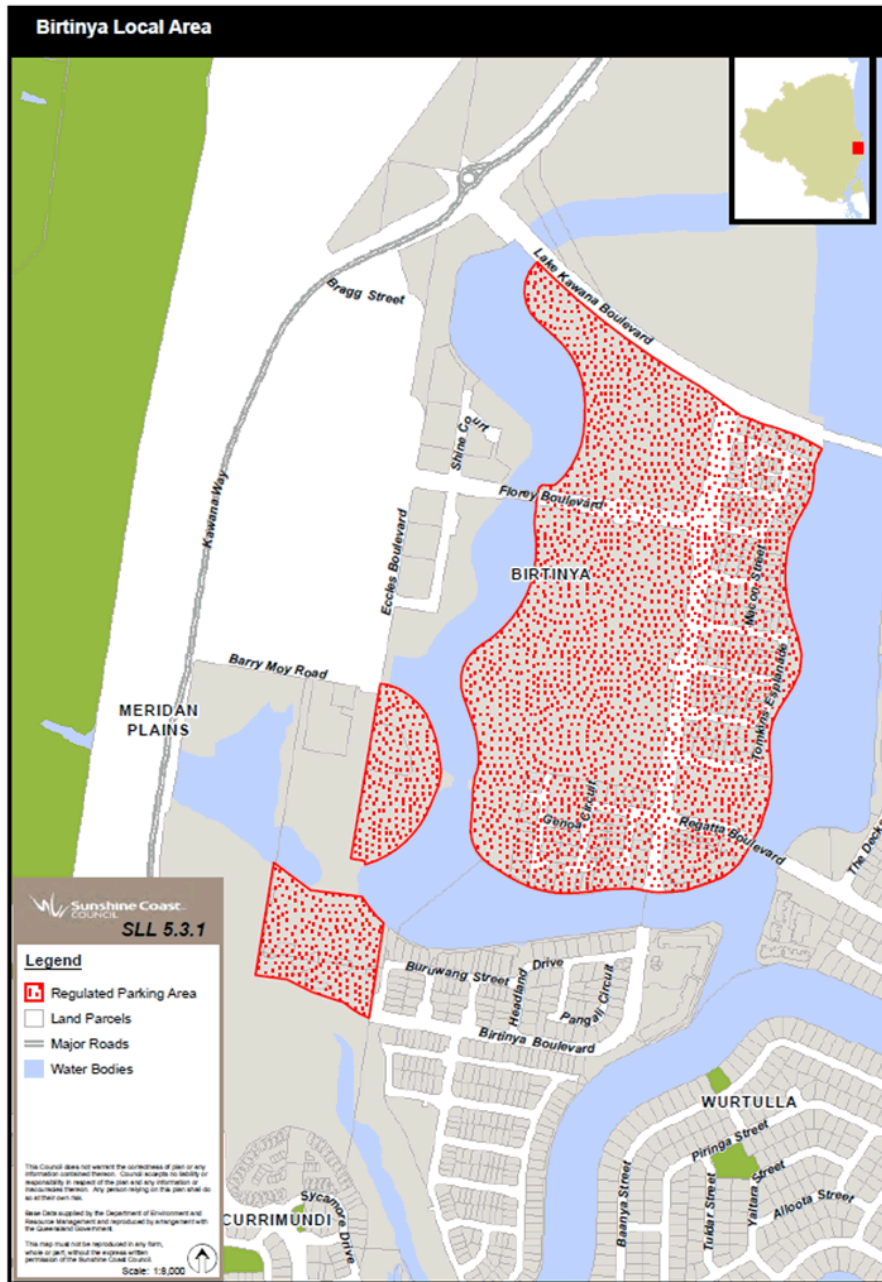
Schedule 3 Persons who may be issued with a parking permit

section 7

Column 1 Parking permit	Column 2 Person who may be issued with a permit
residential parking permit	<ol style="list-style-type: none"> 1 residents of the Nambour Hospital 3P area 2 residents of Lady Musgrave Drive, Mountain Creek 3 residents within the Birtinya Regulated Parking Area as delineated in Map SLL.5.3.1, including residents of multi-unit complexes
works zone permit	a person requiring access to a designated parking space and adjacent footpath for commercial, construction or fundraising purposes
prepaid parking permit	any person
business parking permit	a person requiring access to a designated parking space and adjacent footpath for commercial or fundraising purposes

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Map SLL5.3.1 – Birtinya Regulated Parking Area



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Schedule 4 Infringement notice penalties for certain minor traffic offences

section 9

Column 1 Minor traffic offence	Column 2 Infringement notice penalty
paid parking offences provided for in section 106 (Paid parking offences) of the <i>Transport Operations (Road Use Management) Act 1995</i>	$\frac{3}{10}$ penalty unit
parking and stopping offences provided for in part 12 (Restrictions on stopping and parking) of the <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i> except for— <ul style="list-style-type: none"> • section 203 (Stopping in a parking area for people with disabilities); and • section 205 (Parking for longer than indicated) 	$\frac{3}{4}$ penalty unit
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
the offence provided for in section 205 (Parking for longer than indicated) of the <i>Transport Operations (Road Use Management—Road Rules) Regulation 2009</i>	$\frac{1}{2}$ penalty unit
all other offences which relate to the parking or stopping of a vehicle as provided for in section 74 (Contravention of official traffic sign an offence) of the <i>Transport Operations (Road Use Management) Act 1995</i>	$\frac{1}{2}$ penalty unit

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Endnotes

1 Date to which amendments incorporated

This consolidated version includes all amendments that commenced operation on or before 21 September 2018.

2 Table of consolidated versions

Consolidated Version No.	Amendments included	Effective	Notes
1	Amendment Subordinate Local Law No.1 (Parking) 2012	24 February 2012	
2	Amendment Subordinate Local Law No.1 (Parking) 2013	5 April 2013	
	Amendment Subordinate Local Law No.1 (Miscellaneous) 2014	4 April 2014	
3	Amendment Subordinate Local Law No.1 (Miscellaneous) 2015	31 July 2015	
	Amendment Subordinate Local Law No.1 (Miscellaneous) 2016	5 February 2016	
4	Amendment Subordinate Local Law No.2 (Parking) 2017	25 August 2017	
5	Amendment Subordinate Local Law No.1 (Parking) 2018	21 September 2018	

3 List of amending subordinate local laws

Amendment Subordinate Local Law No.1 (Parking) 2012

date of Council resolution 22 February 2012
date of gazettal 24 February 2012
commenced on date of gazettal

Amendment Subordinate Local Law No.1 (Parking) 2013

date of Council resolution 28 March 2013
date of gazettal 5 April 2013
commenced on date of gazettal

Amendment Subordinate Local Law No.1 (Miscellaneous) 2014

date of Council resolution 27 March 2014
date of gazettal 4 April 2014
commenced on date of gazettal

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Amendment Subordinate Local Law No.1 (Miscellaneous) 2015

date of Council resolution 23 July 2015
date of gazettal 31 July 2015
commenced on date of gazettal

Amendment Subordinate Local Law No.1 (Miscellaneous) 2016

date of Council resolution 28 January 2016
date of gazettal 5 February 2016
commenced on date of gazettal

Amendment Subordinate Local Law No.2 (Parking) 2017

date of Council resolution 17 August 2017
date of gazettal 25 August 2017
commenced on date of gazettal

Amendment Subordinate Local Law No.1 (Parking) 2018

date of Council resolution 13 September 2018
date of gazettal 21 September 2018
commenced on date of gazettal

4 List of annotations**Declaration of off-street regulated parking areas**

s6 amended by Amendment Subordinate Local Law No.1 (Parking) 2018 s4

SCHEDULE 2 – DECLARATION OF OFF-STREET REGULATED PARKING AREAS

amended by Amendment Subordinate Local Law No.1 (Parking) 2013 s3; Amendment Subordinate Local Law No.1 (Miscellaneous) 2014 s9; Amendment Subordinate Local Law No.1 (Miscellaneous) 2016 s12; Amendment Subordinate Local Law No.2 (Parking) 2017 s3; Amendment Subordinate Local Law No.1 (Parking) 2018 s4

SCHEDULE 3 – PERSONS WHO MAY BE ISSUED WITH A PARKING PERMIT

amended by Amendment Subordinate Local Law No.1 (Miscellaneous) 2014 s9; Amendment Subordinate Local Law No.1 (Miscellaneous) 2015 s6; Amendment Subordinate Local Law No.1 (Miscellaneous) 2016 s13

SCHEDULE 4 – INFRINGEMENT NOTICE PENALTIES FOR CERTAIN MINOR TRAFFIC OFFENCES

substituted by Amendment Subordinate Local Law No.1 (Parking) 2012 s3

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