



**Douglas Shire Council
Subordinate Local Law No. 5
(Parking) 2020**

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 5 (Parking) 2020*.

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) 2020*, 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;
 - (b) the persons who may be issued with a permit to park a vehicle contrary to an indication on an official traffic sign;
 - (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 Douglas Shire Council *Local Law No. 5 (Parking) 2020* (the **authorising local law**).

4 Definitions

- (1) The dictionary in schedule 3 defines particular words used in this subordinate local law.
- (2) Other particular words have the same meaning as 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, the whole local government area is declared to be a traffic area.
- (2) For section 5(2) of the authorising local law the boundaries of the traffic area are the boundaries of the local government area.

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 1 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 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 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 the commercial use;
- (b) a person engaged in tourism-related business;
- (c) school bus operators;
- (d) local government employees, contractors or agents for the purpose of carrying out work for or on behalf of local government;
- (e) residents of a road for which a permit is required;
- (f) contractors or workers requiring a permit to park on a road to undertake work on an adjoining site;
- (g) official news media journalists, camera operators, or persons in some other way engaged in a news gathering capacity for a magazine, newspaper, radio or television broadcast; and
- (h) 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 vehicles that may be issued with a commercial vehicle identification label are any motor vehicles 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

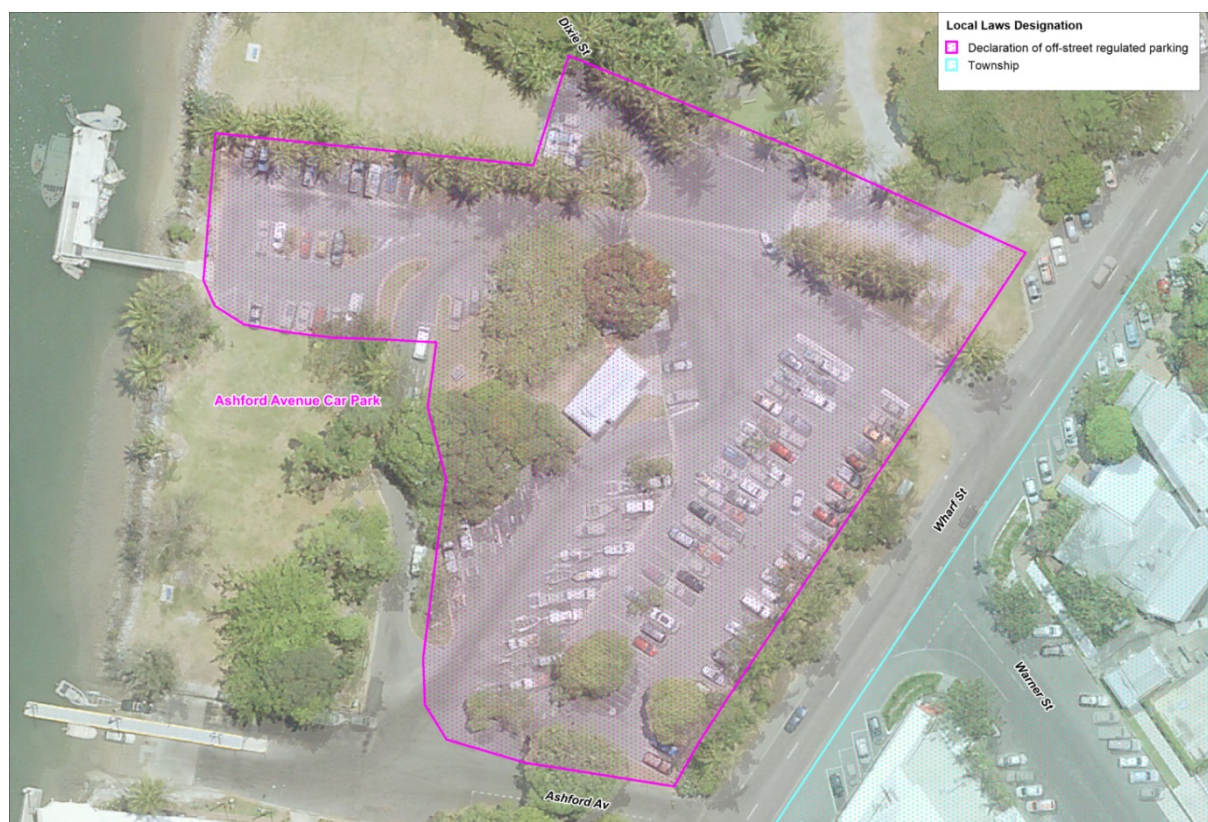
For section 9 of the authorising local law, the infringement notice penalty amount for an offence mentioned in columns 1 and 2 of Schedule 2 is the corresponding amount stated in column 3 of Schedule 2.

Schedule 1 Declaration of off-street regulated parked areas

Section 6

Port Douglas off-street regulated parking areas

Ashford Avenue Car Park, Port Douglas (Lot 52 on SP 288958)



Wharf Street Car Park, Port Douglas (Lot 12 on SR787)



Jalun Park Car Park, Esplanade, Port Douglas (Lot 141 on SR530)



Port Douglas Harbour Car Park, Wharf Street, Port Douglas (Lot 96 on SP134234 and Lot 2 on SP262338)



Port Douglas Harbour Car Park (Yacht Club) Wharf Street, Port Douglas (Lot 96 on SP134234 and Lot 2 on SP262338)



Escape Street Car Park, 3 Escape Street, Port Douglas (Lot 48 on RP 747344)



Four Mile Beach Car Park, 14-22 Reef Street, Port Douglas (Lot 64 on SR573)



Schedule 2 Infringement notice penalty amounts for certain minor traffic offences

Section 9

Column 1 <i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	Column 2 Minor Traffic Offence	Column 3 Infringement notice penalty amount
167	Stopping on a length of road or in an area to which no stopping sign applies.	0.8 Penalty Units
168(1)	Stopping on a length of road or in an area to which no parking sign applies.	0.8 Penalty Units
169	Stopping at the side of a road marked with a continuous yellow edge line.	0.8 Penalty Units
170(1)	Stopping in an intersection.	0.8 Penalty Units
170(2)	Stopping on a road within 20m from the nearest point of an intersecting road at an intersection with traffic lights.	0.8 Penalty Units
170(4)	Stopping on a road within 10m from the nearest point of an intersecting road at an intersection without traffic lights.	0.8 Penalty Units
171(1)(a)	Stopping on a children's crossing.	0.8 Penalty Units
171(1)(b)	Stopping on the road within 20m before the children's crossing or 10m after the crossing.	0.8 Penalty Units
172(1)	Stopping on a pedestrian crossing that is not an intersection, or on the road within 20m before the crossing and 10m after the crossing.	0.8 Penalty Units
173(1)	Stopping on a marked foot crossing that is not an intersection, or on the road within 10m before the traffic lights pole nearest to the driver at the crossing and 3m after the crossing.	0.8 Penalty Units

Column 1 <i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	Column 2 Minor Traffic Offence	Column 3 Infringement notice penalty amount
174(2)	Stopping on a bicycle crossing or on the road within 10m before the traffic lights nearest to the driver at the crossing, and 3m after the crossing.	0.8 Penalty Units
175(1)	Stopping on a level crossing, or on a road within 20m before the nearest rail or track to the driver approaching the crossing and 20m after the nearest rail or track to the driver leaving the crossing.	0.8 Penalty Units
176(1)	Stopping on a length of road other than a road-related area, to which a clearway sign applies.	0.8 Penalty Units
179(1)	Stopping in a loading zone.	0.8 Penalty Units
179(2)	Stopping continuously in a loading zone by a bus, truck or motor vehicle displaying a commercial vehicle identification label for longer than 30 minutes or such other time as indicated on the loading zone sign applying to the loading zone.	0.8 Penalty Units
179(2A)	Stopping continuously in a loading zone by a motor vehicle that is dropping off, or picking up goods, for longer than 20 minutes.	0.8 Penalty Units
179(2B)	Stopping continuously in a loading zone by a motor vehicle that is dropping off, or picking up, passengers for longer than 2 minutes.	0.8 Penalty Units
180(1)	Stopping in a truck zone.	0.8 Penalty Units
181(1)	Stopping in a works zone.	0.8 Penalty Units
182(1)	Stopping in a taxi zone.	0.8 Penalty Units
183(1)	Stopping in a bus zone.	1 Penalty Unit
185(1)	Stopping in a permit zone unless the driver's vehicle displays a current permit.	0.8 Penalty Units

Column 1 <i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	Column 2 Minor Traffic Offence	Column 3 Infringement notice penalty amount
186(1)	Stopping in a mail zone.	0.8 Penalty Units
187(1)	Stopping in a bus lane, transit lane, or truck lane.	0.8 Penalty Units
187(2)	Stopping in a tram lane, tramway or on tram tracks.	0.8 Penalty Units
188	Stopping in a shared zone.	0.8 Penalty Units
189(1)	Stopping on a road if puts any part of vehicle between a vehicle parked on the road and centre of road.	0.8 Penalty Units
190(1)	Stopping in a safety zone or on a road within 10m before or after a safety zone.	0.8 Penalty Units
191	Stopping on a road near an obstruction on the road in a position that obstructs traffic on the road.	0.8 Penalty Units
192(1)	Stopping on a bridge, causeway, ramp or similar structure.	0.8 Penalty Units
192(2)	Stopping in a tunnel or underpass.	0.8 Penalty Units
193(1)	Stopping on or near a crest or curve on a length of road that is not in a built-up area.	0.8 Penalty Units
194(1)	Stopping within 1m of a fire hydrant, fire hydrant indicator or fire plug indicator.	0.8 Penalty Units
195(1)	Stopping at a bus stop, or on the road, within 20m before a sign on the road that indicates the bus stop, and 10m after the sign.	0.8 Penalty Units
196(1)	Stopping at a tram stop or on the road within 20m before a sign that indicates a tram stop.	0.8 Penalty Units

Column 1 <i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	Column 2 Minor Traffic Offence	Column 3 Infringement notice penalty amount
197(1)	Stopping on a bicycle path, footpath, shared path or dividing strip or nature strip adjacent to a length of road in a built-up area.	0.4 Penalty Units
198(1)	Stopping on a road in a position that obstructs access by vehicles or pedestrians to or from a footpath ramp or a similar way of access to a footpath or a bicycle path or passage way.	0.4 Penalty Units
198(2)	Stopping on or across a driveway or other way of access for vehicles travelling to or from adjacent land.	0.4 Penalty Units
199	Stopping on a road within 3m of a public post box.	0.8 Penalty Units
200(1)	Stopping a heavy vehicle, or long vehicle, on a length of road that is not in a built up area, except on the shoulder of the road.	0.8 Penalty Units
200(2)	Stopping a heavy vehicle, or long vehicle on a length of road in a built-up area for longer than 1 hour.	0.8 Penalty Units
201	Stopping on a length of road to which a bicycle parking sign applies.	0.4 Penalty Units
202	Stopping on a length of road to which a motorbike parking sign applies	0.4 Penalty Units
203(1)	Stopping in a parking area for people with disabilities.	1.5 Penalty Units
205	Parking continuously on a length of road, or in an area, to which a permissive parking sign applies for longer than– (a) the period indicated by information on or with the sign; or	0.4 Penalty Units

Column 1 <i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	Column 2 Minor Traffic Offence	Column 3 Infringement notice penalty amount
	(b) if the vehicle displays a current parking permit for people with disabilities – the period stated in the permit.	
208(1)	Parallel parking on a road – failing to properly position the vehicle (except in a median strip parking area).	0.4 Penalty Units
208A	Parking in a road-related area – failing to properly position the vehicle (except in a median strip parking area).	0.4 Penalty Units
210(1)	Angle parking in a parking area on the side of the road or in a median strip area to which a parking control sign or road marking applies – failing to properly position the vehicle.	0.4 Penalty Units
211(2)	Parking a vehicle not completely within a parking bay.	0.4 Penalty Units
211(3)	If a vehicle is too wide or long to fit completely within a single parking bay, not parking the vehicle within the number of parking bays needed to park the vehicle.	0.4 Penalty Units
212(1)	Entering or leaving a median strip parking area in a different direction to the direction that is indicated on a traffic control device.	0.8 Penalty Units
212(2)	Failing to enter or leave a median strip parking area forwards where there is no information on or with a traffic control device that indicates the driver must enter or leave in a particular direction.	0.8 Penalty Units
Part 12	Any other parking offences (not otherwise provided for) in Part 12.	0.4 Penalty Units

Schedule 3 Dictionary

Section 4

tourism-related business means a vehicle used, in the opinion of an authorised person, to transport tourists or promote tourism.