



Whitsunday Regional Council Subordinate Local Law (Amending) Whitsunday Regional Council Subordinate Local Law No. 5 (Parking) 2019

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law (Amending) Whitsunday Regional Council Subordinate Local Law No. 5 (Parking) 2019*.

2 Commencement

This subordinate local law commences on the date notice of the making of the local law is published in the gazette.

3 Subordinate local laws amended

This subordinate local law amends *Whitsunday Regional Council Subordinate Local Law No. 5 (Parking) 2014*.

Part 2 Amendment of Whitsunday Regional Council Subordinate Local Law No. 5 (Parking) 2014

4 Amendment of s 4 (Definitions)

(1) Section 4, definition *Tourism-related business* –

omit, insert –

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

(2) Section 4, definition *Building or construction work*, after `1975' –

insert –

.

5 Amendment of s 5 (Declaration of traffic areas – Authorising local law

- (1) Section 5, subsection (1), after 'local law' –

omit, insert –

:

- (a) the whole local government area is declared to be a traffic area, as indicated on Map A in schedule 1; and
- (b) further to subsection (a) above, each area of land indicated by hatching in 'Map B' and 'Map C' in schedule 1 is also specifically declared to be a traffic area.

- (2) Section 5, subsection (2), after 'boundaries of' –

omit, insert –

each traffic area are:

- (a) the boundaries of the local government area, as indicated on 'Map A' in schedule 1; and
- (b) further to subsection (a) above, indicated by the edging of the hatched areas on 'Map B' and 'Map C' in schedule 1.

6 Amendment of s 7 (Parking permits issued by local government – Authorising local law, s 7(2)

- (1) Section 7, heading, '**7(2)**' –

omit, insert –

7(3)

- (2) Section 7, 'section 7(2)' –

omit, insert –

section 7(3)

- (3) Section 7, 'section 7(1)' –

omit, insert –

section 7(2)

- (4) Section 7, subsection (j)(iii), after 'reasonable' –

insert –

or

- (5) Section 7, subsections (e) to (o) –

renumber as subsections, (a) to (k), respectively

7 Amendment of s 8 (Commercial vehicle identification labels – Authorising local law, s 8(2))

Section 8, subsection (b)(ii), 'commercial identification labels' –

insert –

commercial vehicle identification label

8 Amendment of sch 1 (Declaration of traffic area)

- (1) Schedule 1, after 'Section 5' –

insert –

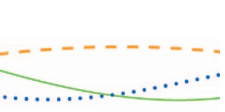
**Map A – Whitsunday Regional Council local government area traffic
area**

(2) Schedule 1, after Map A –

insert –

Draft

Map B – Proserpine traffic area



Created By:
L Curtis

Scale:
1:3,000 (A3)

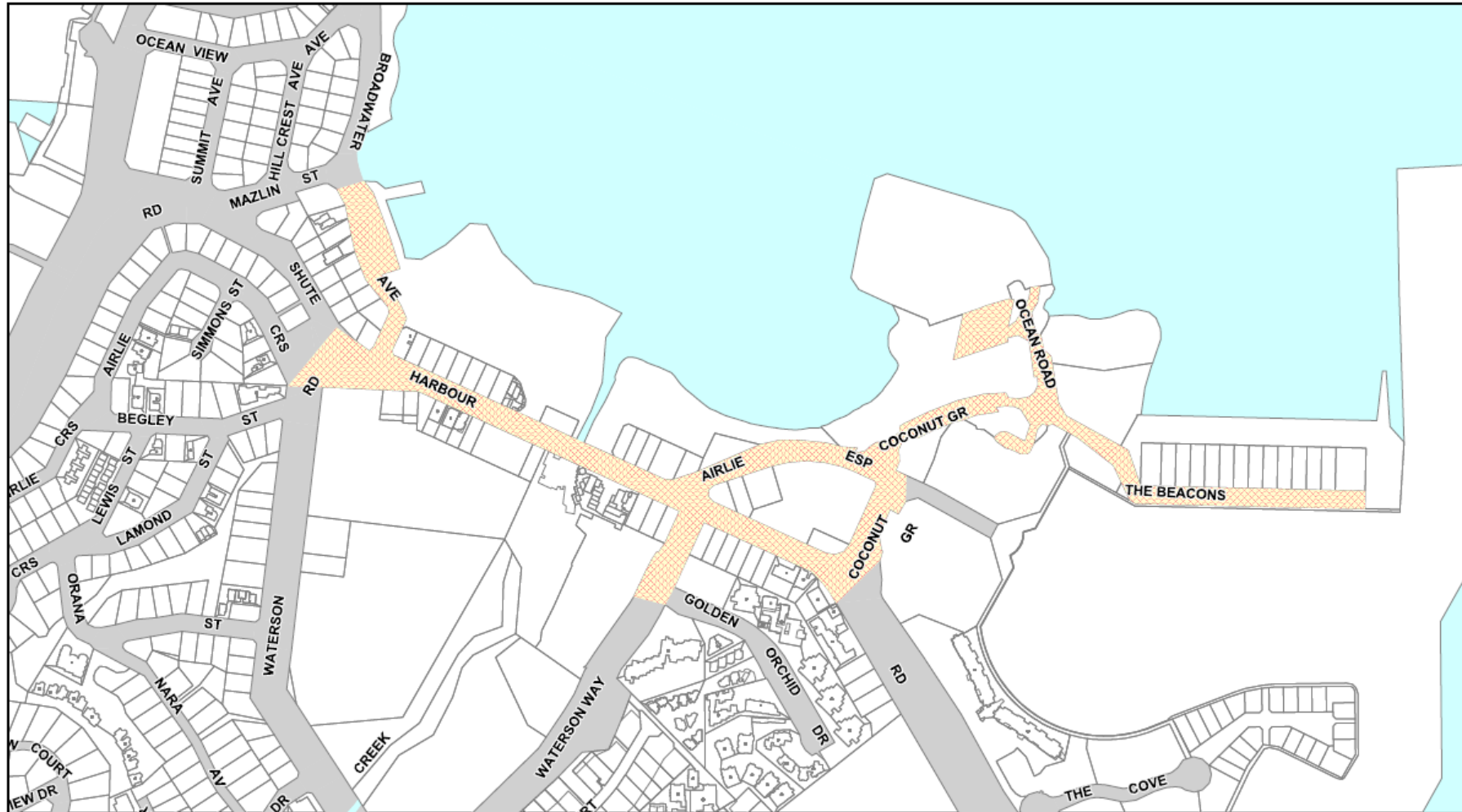
Date Created:
27/1/2019

Date Plotted:
27/11/2019

Title:
Proserpine Traffic Area

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Map C – Airlie Beach traffic area



Created By:
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Scale
1:4,000 (A3)

Date Created:
27/1/2019

Date Plotted:
27/11/2019

Title:
Airlie Beach Traffic Area

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9 Amendment of sch 3 (Infringement notice penalty amounts for certain minor traffic offences)

- (1) Schedule 3, item 7, column 1, after 'which' –

insert –

a

- (2) Schedule 3, item 9, column 1, 'Stopping in an intersection' –

omit, insert –

(Stopping in an intersection)

- (3) Schedule 3, item 14, column 1, after 'before' –

omit, insert –

or 10m after a pedestrian crossing that is not at an intersection unless permitted
by a sign)

- (4) Schedule 3, item 15, column 1, after 'within' –

omit, insert –

20m or 10m after a pedestrian crossing that is not at an intersection unless
otherwise permitted)

- (5) Schedule 3, item 17, column 1, after 'driver at the' –

omit, insert –

crossing, and 3m after the crossing, unless the driver –

- (a) stops at a place on a length of road, or in an area, to which a parking control sign applies; and
 - (b) is permitted to stop at that place under the Regulation.)
- (6) Schedule 3, item 19, column 2, 'unit' –
omit, insert –

units
- (7) Schedule 3, item 20, column 1, from 'Stopping' –
omit, insert –

(A driver must not stop in a loading zone, unless the driver is driving –
 - (a) a bus that is dropping off, or picking up, passengers; or
 - (b) a truck that is dropping off, or picking up, passengers or goods; or
 - (c) a motor vehicle displaying a commercial vehicle identification label issued by the local government for the local government area in which the loading zone is situated; or
 - (d) another motor vehicle that is –
 - (i) dropping off, or picking up, goods; or
 - (ii) dropping off, or picking up, passengers.)
- (8) Schedule 3, item 20, column 2, 'unit' –
omit, insert –

units

- (9) Schedule 3, item 21, column 2, 'unit' –

omit, insert –

units

- (10) Schedule 3, item 22, column 2, 'unit' –

omit, insert –

units

- (11) Schedule 3, item 23, column 2, 'unit' –

omit, insert –

units

- (12) Schedule 3, after item 23 –

insert –

23A

Transport Operations (Road Use Management – Road Rules)

Regulation 2009, section 179(2A)

(A driver who is permitted to stop in a loading zone under subsection (1)(d)(i) must not stay continuously in the zone for longer than—

(a) 20 minutes; or

(b) if information on or with the loading zone signs applying to the loading zone indicates another time—the indicated time.)

2 penalty units

23B

Transport Operations (Road Use Management – Road Rules)

Regulation 2009, section 179(2B)

(A driver who is permitted to stop in a loading zone under subsection (1)(d)(ii) must not stay continuously in the zone for longer than 2 minutes.)

2 penalty units

(13) Schedule 3, item 26, column 2, 'unit' –

omit, insert –

units

(14) Schedule 3, item 29, column 1, from 'Stopping' –

omit, insert –

(1) a driver must not stop in a permit zone, unless the driver's vehicle displays a current permit issued under the Regulation that permits the vehicle to stop in the zone.

(2) a **permit zone** is a length of a road to which a permit zone sign applies.)

(15) Schedule 3, item 30, column 2, 'unit' –

omit, insert –

units

(16) Schedule 3, item 31, column 1, 'tram lane,' –

omit.

- (17) Schedule 3, item 31, column 2, 'unit' –

omit, insert –

units

- (18) Schedule 3, item 32, column 2, 'unit' –

omit, insert –

units

- (19) Schedule 3, item 34, column 1, 'a two-way' –

omit.

- (20) Schedule 3, item 39, column 1, after 'crest' –

insert –

or curve

- (21) Schedule 3, item 44, column 2, 'unit' –

omit, insert –

units

- (22) Schedule 3, after item 44 –

insert –

44A	<i>Transport Operations (Road Use Management – Road Rules)</i> <i>Regulation 2009</i> , section 197(1A) (A driver must not stop on a painted island)	2 penalty units
44B	<i>Transport Operations (Road Use Management – Road Rules)</i> <i>Regulation 2009</i> , section 197(1B) (A driver must not stop on a traffic island)	2 penalty units

(23) Schedule 3, item 46, column 1, from 'Stopping' –

omit, insert –

A driver must not stop on or across a driveway or other way of access for vehicles travelling to or from adjacent land unless—

(a) The driver—

- (i) is dropping off or picking up passengers; and
- (ii) does not leave the vehicle unattended; and
- (iii) completes the dropping off or picking up of the passengers, and drives on, as soon as practicable and, in any case, within 2 minutes after stopping; or

(b) The driver—

- (i) stops in a parking bay; and

- (ii) is permitted to stop in the parking bay under the Regulation.)

(24) Schedule 3, item 47, column 1, after 'Stopping' –

omit, insert –

A driver must not stop on a road within 3m of a public postbox unless—

- (a) The driver is dropping off, or picking up, passengers or mail; or
- (b) The driver—
 - (i) stops at a place on a length of road, or in an area, to which a parking control sign applies; and
 - (ii) is permitted to stop at that place under the Regulation.)

(25) Schedule 3, item 64, column 1, from 'Parking' –

omit, insert –

The driver must position the driver's vehicle completely within a single parking bay, unless the vehicle is too wide or long to fit completely within the bay.)

(26) Schedule 3, item 65, column 1, after 'bay,' –

omit, insert –

the driver must park the driver's vehicle within the minimum number of parking bays needed to park the vehicle.)

(27) Schedule 3, items 66 to 68 –

omit.

- (28) Schedule 3, item 69, column 1 –

omit, insert –

Transport Operations (Road Use Management) Act 1995

All other offences which relate to the parking or stopping of a vehicle as provided
for in section 74 (Contravention of official traffic sign).

- (29) Schedule 3, item 69 –

renumber as item 66

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