



**Corporate Governance  
Directorate**

# **APPENDICES**

**Items 12.4.1 – 12.4.3**

## **ORDINARY COUNCIL MEETING**

To Be Held

Wednesday, 24<sup>th</sup> of August 2022

Commencing at 5.00pm

At

Shire of Dardanup  
ADMINISTRATION CENTRE EATON  
1 Council Drive – EATON

This document is available in alternative formats such as:  
~ Large Print  
~ Electronic Format [disk or emailed]  
Upon request.



# [Appendix ORD: 12.4.1A]

RISK ASSESSMENT TOOL								
<b>OVERALL RISK EVENT:</b> Proposed Shire of Dardanup Parking Local Law 2023 <b>RISK THEME PROFILE:</b> 3 - Failure to Fulfil Compliance Requirements (Statutory, Regulatory)      4 - Document Management Processes <b>RISK ASSESSMENT CONTEXT:</b> Operational								
CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL		
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD	RESIDUAL RISK RATING
HEALTH	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
FINANCIAL IMPACT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
SERVICE INTERRUPTION	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
LEGAL AND COMPLIANCE	Failing to review in the 8 yearly cycle as stipulated in S3.16 of Local Government Act 1995.	Moderate (3)	Rare (1)	Low (1 - 4)	Not required.	Not required.	Not required.	Not required.
REPUTATIONAL	Council would be seen in a negative light if we failed in our legislative requirements.	Minor (2)	Rare (1)	Low (1 - 4)	Not required.	Not required.	Not required.	Not required.
ENVIRONMENT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.

# **LOCAL LAW**



## **PARKING AND PARKING FACILITIES LOCAL LAW 2009**

(Inclusive Of Parking And Parking Facilities Amendment Local Law 2014)

Principal Local Law Adopted: 04/11/2009 - Resolution 361/09  
Amendment Adopted: 30/04/2014 – Resolution 96/14



***LOCAL GOVERNMENT ACT 1995***

# **SHIRE OF DARDANUP**

## **PARKING AND PARKING FACILITIES LOCAL LAW 2009**

## TABLE OF CONTENTS

<b>1.</b>	<b>PART 1 - DEFINITIONS AND OPERATION .....</b>	<b>1</b>
1.1	Citation .....	1
1.2	Repeal .....	1
1.3	Interpretation .....	1
1.4	Application of Particular Definitions .....	5
1.5	Application and pre-existing signs .....	5
1.6	Classes of vehicles.....	5
1.7	Part of thoroughfare to which sign applies.....	6
1.8	Powers of the local government .....	6
<b>2.</b>	<b>PART 2 - PARKING STALLS AND PARKING STATIONS.....</b>	<b>6</b>
2.1	Determination of parking stalls and parking stations .....	6
2.2	Vehicles to be within parking stall on thoroughfare.....	6
2.3	Parking Prohibitions and Restrictions .....	7
<b>3.</b>	<b>PART 3 - PARKING GENERALLY .....</b>	<b>7</b>
3.1	Restrictions on parking in particular areas .....	7
3.2	Parking vehicle on a carriageway .....	8
3.3	When parallel and right-angled parking apply .....	9
3.4	When angle parking applies .....	9
3.5	General prohibitions on parking .....	9
3.6	Authorised person may order vehicle on thoroughfare to be moved .....	11
3.7	Authorised person may mark tyres.....	11
3.8	No movement of vehicles to avoid time limitation .....	11
3.9	No parking of vehicles exposed for sale and in other circumstances.....	11
3.10	Parking on private land.....	12
3.11	Parking on reserves.....	12
3.12	Suspension of parking limitations for urgent, essential or official duties .....	12
<b>4.</b>	<b>PART 4 – PARKING AND STOPPING GENERALLY.....</b>	<b>12</b>
4.1	No stopping and no parking signs, and yellow edge lines .....	12
<b>5.</b>	<b>PART 5 – STOPPING IN ZONES FOR PARTICULAR VEHICLES.....</b>	<b>13</b>
5.1	Stopping in a loading zone .....	13
5.2	Stopping in a taxi zone or a bus zone .....	13
5.3	Stopping in a mail zone .....	13
5.4	Other limitations in zones.....	13
<b>6.</b>	<b>PART 6 – OTHER PLACES WHERE STOPPING IS RESTRICTED .....</b>	<b>14</b>
6.1	Stopping in a shared zone.....	14
6.2	Double parking .....	14
6.3	Stopping near an obstruction .....	14
6.4	Stopping on a bridge or in a tunnel, etc.....	14
6.5	Stopping on crests, curves, etc.....	15
6.6	Stopping near a fire hydrant etc.....	15
6.7	Stopping at or near a bus stop.....	15
6.8	Stopping on a path, median strip, or traffic island .....	15
6.9	Stopping on verge .....	16
6.10	Obstructing access to and from a path, driveway, etc. ....	16
6.11	Stopping near a letter box.....	16
6.12	Stopping on a carriageway – heavy and long vehicles.....	17
6.13	Stopping on a carriageway with a bicycle parking sign .....	17

## [Appendix ORD: 12.4.1B]

6.14	Stopping on a carriageway with motor cycle parking sign .....	17
6.15	Stopping in a parking stall for people with disabilities .....	17
<b>7.</b>	<b>PART 7 - MISCELLANEOUS.....</b>	<b>18</b>
7.1	Removal of notices on vehicle.....	18
7.2	Unauthorised signs and defacing of signs .....	18
7.3	Signs must be complied with.....	18
7.4	General provisions about signs.....	18
7.5	Special purpose and emergency vehicles .....	18
7.6	Vehicles not to obstruct a public place .....	19
<b>8.</b>	<b>PART 8 - PENALTIES .....</b>	<b>19</b>
8.1	Offences and penalties.....	19
8.2	Form of notices .....	19
<b>SCHEDULE 1</b>	<b>.....</b>	<b>20</b>
<b>PARKING REGION</b>	<b>.....</b>	<b>20</b>
<b>SCHEDULE 2</b>	<b>.....</b>	<b>21</b>
<b>PRESCRIBED OFFENCES</b>	<b>.....</b>	<b>21</b>
<b>SCHEDULE 3</b>	<b>.....</b>	<b>29</b>
<b>FORMS</b>	<b>.....</b>	<b>25</b>
<b>FORM 1</b>	<b>.....</b>	<b>29</b>
<b>FORM 2</b>	<b>.....</b>	<b>31</b>
<b>FORM 3</b>	<b>.....</b>	<b>33</b>
<b>FORM 4</b>	<b>.....</b>	<b>35</b>
<b>SCHEDULE 4</b>	<b>.....</b>	<b>36</b>
<b>DEEMED PARKING STATIONS</b>	<b>.....</b>	<b>36</b>

# [Appendix ORD: 12.4.1B]

## LOCAL GOVERNMENT ACT 1995

### SHIRE OF DARDANUP

#### PARKING AND PARKING FACILITIES LOCAL LAW 2009

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Dardanup resolved on 4 November 2009 to make the following local law.

#### 1. PART 1 - DEFINITIONS AND OPERATION

##### 1.1 Citation

This local law may be cited as the *Shire of Dardanup Parking and Parking Facilities Local Law 2009*.

This local law will come into operation 14 days after the date of publication in the *Government Gazette*.

##### 1.2 Repeal

The Shire of Dardanup Parking and Parking Facilities Local Law published in the *Government Gazette* on 30 December 1998 and amended by notice published in the *Government Gazette* on 8 April 2008 is repealed.

##### 1.3 Interpretation

In this local law unless the context otherwise requires:

'**ACROD sticker**' has the meaning given to it by the Code;

'**Act**' means the *Local Government Act 1995*;

'**Authorised Person**' means a person authorised by the local government under section 9.10 of the Act, to perform any of the functions of an Authorised Person under this local law;

'**authorised vehicle**' means a vehicle authorised by the local government, Chief Executive Officer, Authorised Person or by any written law to park on a thoroughfare or parking facility;

'**bicycle**' has the meaning given to it by the Code;

'**bicycle path**' has the meaning given to it by the Code;

'**bus**' has the meaning given to it by the Code;

'**bus embayment**' has the meaning given to it by the Code;

'**bus stop**' has the meaning given to it by the Code;

## [Appendix ORD: 12.4.1B]

**'bus zone'** has the meaning given to it by the Code;

**'caravan'** means a vehicle that is fitted or designed to allow human habitation and which is drawn by another vehicle, or which is capable of self-propulsion;

**'carriageway'** means a portion of thoroughfare that is improved, designed or ordinarily used for vehicular traffic and includes the shoulders, and areas, including embayments, at the side or centre of the carriageway, used for the stopping or parking of vehicles; and where a thoroughfare has two or more of those portions divided by a median strip, the expression means each of those portions, separately;

**'centre'** in relation to a carriageway, means a line or a series of lines, marks or other indications:

- (a) for a two-way carriageway – placed so as to delineate vehicular traffic travelling in different directions; or
- (b) in the absence of any such lines, marks or other indications – the middle of the main, travelled portion of the carriageway;

**'children's crossing'** has the meaning given to it by the Code;

**'CEO'** means the Chief Executive Officer of the local government;

**'Code'** means the *Road Traffic Code 1974*;

**'commercial vehicle'** means a motor vehicle constructed for the conveyance of goods or merchandise, or for the conveyance of materials used in any trade, business, industry or work whatsoever, other than a motor vehicle for the conveyance of passengers, and includes any motor vehicle that is designed primarily for the carriage of persons, but which has been fitted or adapted for the conveyance of the goods, merchandise or materials referred to, and is in fact used for that purpose;

**'district'** means the district of the local government;

**'driver'** means any person driving or in control of a vehicle;

**'edge line'** for a carriageway means a line marked along the carriageway at or near the far left or the far right of the carriageway;

**'emergency vehicle'** has the meaning given to it by the Code;

**'footpath'** has the meaning given to it by the Code;

**'GVM'** (which stands for 'gross vehicle mass') has the meaning given to it by the Code;

**'Loading Zone'** means a parking stall which is set aside for use by commercial vehicles if there is a sign referable to that stall marked 'Loading Zone';

**'local government'** means the Shire of Dardanup;

**'mail zone'** has the meaning given to it by the Code;

## [Appendix ORD: 12.4.1B]

**'median strip'** has the meaning given to it by the Code;

**'motorcycle'** has the meaning given to it by the Code;

**'motor vehicle'** means a self-propelled vehicle that is not operated on rails; and the expression includes a trailer, semi-trailer or caravan while attached to a motor vehicle, but does not include a power assisted pedal cycle;

**'no parking area'** has the meaning given to it by the Code;

**'no parking sign'** means a sign with the words 'no parking' in red letters on a white background, or the letter 'P' within a red annulus and a red diagonal line across it on a white background;

**'no stopping area'** has the meaning given to it by the Code;

**'no stopping sign'** means a sign with the words 'no stopping' or 'no standing' in red letters on a white background or the letter 'S' within a red annulus and a red diagonal line across it on a white background;

**'occupier'** has the meaning given to it by the Act;

**'owner'**

- (a) where used in relation to a vehicle licensed under the Road Traffic Act, means the person in whose name the vehicle has been registered under that Road Traffic Act;
- (b) where used in relation to any other vehicle, means the person who owns, or is entitled to possession of that vehicle; and
- (c) where used in relation to land, has the meaning given to it by the Act;

**'park'**, in relation to a vehicle, means to permit a vehicle, whether attended or not by any person, to remain stationary except for the purpose of:

- (a) avoiding conflict with other traffic; or
- (b) complying with the provisions of any law; or
- (c) taking up or setting down persons or goods (*maximum of 2 minutes*);

**'parking area'** has the meaning given to it by the Code;

**'parking facilities'** includes land, buildings, shelters, parking stalls and other facilities open to the public generally for the parking of vehicles and signs, notices and facilities used in connection with the parking of vehicles;

**'parking region'** means the area described in Schedule 1;

**'parking stall'** means a section or part of a thoroughfare or of a parking station which is marked or defined by painted lines, metallic studs, coloured bricks or pavers or similar devices for the purpose of indicating where a vehicle may be parked;

## [Appendix ORD: 12.4.1B]

**'parking station'** means any land, or structure provided for the purpose of accommodating vehicles;

**'pedestrian crossing'** has the meaning given to it by the Code;

**'public place'** means any place to which the public has access whether or not that place is on private property;

**'reserve'** means any land:

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*; or
- (c) which is an 'otherwise unvested facility' within section 3.53 of the Act;

**'Road Traffic Act'** means the *Road Traffic Act 2000*;

**'Schedule'** means a Schedule to this local law;

**'shared zone'** has the meaning given to it by the Code;

**'sign'** includes a traffic sign, inscription, road marking, mark, structure or device approved by the local government on which may be shown words, numbers, expressions or symbols, and which is placed on or near a thoroughfare or within a parking station or reserve for the purpose of prohibiting, regulating, guiding, directing or restricting the parking of vehicles;

**'special purpose vehicle'** has the meaning given to it by the Code;

**'stop'** in relation to a vehicle means to stop a vehicle and permit it to remain stationary, except for the purposes of avoiding conflict with other traffic or of complying with the provisions of any law;

**'symbol'** includes any symbol specified by Australian Standard 1742.11-1999 and any symbol specified from time to time by Standards Australia for use in the regulation of parking and any reference to the wording of any sign in this local law shall be also deemed to include a reference to the corresponding symbol;

**'taxi'** means a taxi within the meaning of the *Taxi Act 1994* or a taxi-car in section 47Z of the *Transport Co-ordination Act 1966*;

**'taxi zone'** has the meaning given to it by the Code;

**'thoroughfare'** has the meaning given to it by the Act;

**'traffic island'** has the meaning given to it by the Code;

**'trailer'** means any vehicle without motive power of its own, designed for attachment to a motor vehicle for the purpose of being towed, but does not include the rear portion of an articulated vehicle, or a side car;

**'vehicle'** has the meaning given to it by the Code;

# [Appendix ORD: 12.4.1B]

'verge' means the portion of a thoroughfare which lies between the boundary of a carriageway and the adjacent property line but does not include a footpath.

## **1.4 Application of Particular Definitions**

- (1) For the purposes of the application of the definitions 'no parking area' and 'parking area' an arrow inscribed on a traffic sign erected at an angle to the boundary of the carriageway is deemed to be pointing in the direction in which it would point, if the signs were turned at an angle of less than 90 degrees until parallel with the boundary.
- (2) Unless the context otherwise requires, where a term is used, but not defined, in this local law, and that term is defined in the Road Traffic Act or in the Code, then the term shall have the meaning given to it in that Act or the Code.

## **1.5 Application and pre-existing signs**

- (1) Subject to subclause (2), this local law applies to the parking region.
- (2) This local law does not apply to a parking facility or a parking station that is not occupied by the local government, unless the local government and the owner or occupier of that facility or station have agreed in writing that this local law will apply to that facility or station.
- (3) The agreement referred to in subclause (2) may be made on such terms and conditions as the parties may agree.
- (4) Where a parking facility or a parking station is identified in Schedule 4, then the facility or station shall be deemed to be a parking station to which this local law applies and it shall not be necessary to prove that it is the subject of an agreement referred to in subclause (2).
- (5) A sign that:
  - (i) was erected by the local government or the Commissioner of Main Roads prior to the coming into operation of this local law; and
  - (ii) relates to the parking of vehicles within the parking region, shall be deemed for the purposes of this local law to have been erected by the local government under the authority of this local law.
- (6) An inscription or symbol on a sign referred to in subclause (5) operates and has effect according to its tenor, and where the inscription or symbol relates to the stopping of vehicles, it shall be deemed for the purposes of this local law to operate and have effect as if it related to the parking of vehicles.
- (7) The provisions of Parts (2), (3), (4) and (5) do not apply to a bicycle parked at a bicycle rail or bicycle rack.

## **1.6 Classes of vehicles**

For the purpose of this local law, vehicles are divided into classes as follows:

- (a) buses;



# **[Appendix ORD: 12.4.1B]**

- (b) commercial vehicles;
- (c) motorcycles and bicycles;
- (d) taxis; and
- (e) all other vehicles.

## **1.7 Part of thoroughfare to which sign applies**

Where under this local law the parking of vehicles in a thoroughfare is controlled by a sign, the sign shall be read as applying to that part of the thoroughfare which:

- (a) lies beyond the sign;
- (b) lies between the sign and the next sign beyond that sign; and
- (c) is on that side of the thoroughfare nearest to the sign.

## **1.8 Powers of the local government**

The local government may, by resolution, prohibit or regulate by signs or otherwise, the stopping or parking of any vehicle or any class of vehicles in any part of the parking region but must do so consistently with the provisions of this local law.

## **2. PART 2 - PARKING STALLS AND PARKING STATIONS**

### **2.1 Determination of parking stalls and parking stations**

(1) The local government may by resolution constitute, determine and vary:

- (a) parking stalls;
- (b) parking stations;
- (c) permitted time and conditions of parking in parking stalls and parking stations which may vary with the locality;
- (d) permitted classes of vehicles which may park in parking stalls and parking stations;
- (e) permitted classes of persons who may park in specified parking stalls or parking stations; and
- (f) the manner of parking in parking stalls and parking stations.

(2) Where the local government makes a resolution under subsection (1) it shall erect signs to give effect to the resolution.

### **2.2 Vehicles to be within parking stall on thoroughfare**

- (1) Subject to subclause (2), (3) and (4), a person shall not park a vehicle in a parking stall in a thoroughfare otherwise than:
  - (a) parallel to and as close to the kerb as is practicable;
  - (b) wholly within the stall; and

## [Appendix ORD: 12.4.1B]

- (c) headed in the direction of the movement of traffic on the side of the thoroughfare in which the stall is situated.
- (2) Subject to subclause (3) where a parking stall in a thoroughfare is set out otherwise than parallel to the kerb, then a person must park a vehicle in that stall wholly within it.
- (3) If a vehicle is too long or too wide to fit completely within a single parking stall then the person parking the vehicle shall do so within the minimum number of parking stalls needed to park that vehicle.
- (4) A person shall not park a vehicle partly within and partly outside a parking area.

### **2.3 Parking Prohibitions and Restrictions**

- (1) A person shall not:
  - (a) park a vehicle so as to obstruct an entrance to, or an exit from a parking station, or an access way within a parking station;
  - (b) except with the permission of the local government or an Authorised Person park a vehicle on any part of a parking station contrary to a sign referable to that part;
  - (c) permit a vehicle to park on any part of a parking station, if an Authorised Person directs the driver of such vehicle to move the vehicle; or
  - (d) park or attempt to park a vehicle in a parking stall in which another vehicle is parked but this paragraph does not prevent the parking of a motorcycle and a bicycle together in a stall marked 'M/C', if the bicycle is parked in accordance with subclause (2).
- (2) No person shall park any bicycle:
  - (a) in a parking stall other than in a stall marked 'M/C'; and
  - (b) in such stall other than against the kerb.
- (3) Notwithstanding the provisions of subclause (1)(b) a driver may park a vehicle in a permissive parking stall or station (except in a parking area for people with disabilities) for twice the length of time allowed, provided that:
  - (a) the driver's vehicle displays an ACROD sticker; and
  - (b) a person with disabilities to which that ACROD sticker relates is either the driver of or a passenger in the vehicle.

## **3. PART 3 - PARKING GENERALLY**

### **3.1 Restrictions on parking in particular areas**

- (1) Subject to subclause (2), a person shall not park a vehicle in a thoroughfare or part of a thoroughfare, or part of a parking station:

## [Appendix ORD: 12.4.1B]

- (a) if by a sign it is set apart for the parking of vehicles of a different class;
  - (b) if by a sign it is set apart for the parking of vehicles by persons of a different class; or
  - (c) during any period when the parking of vehicles is prohibited by a sign.
- (2) (a) This subclause applies to a driver if:
  - (i) the driver's vehicle displays an ACROD sticker; and
  - (ii) a disabled person to whom the ACROD sticker relates is either the driver of the vehicle or a passenger in the vehicle.
- (b) The driver may park a vehicle in a thoroughfare or a part of a thoroughfare or part of a parking station, except in a thoroughfare or a part of a thoroughfare or part of a parking station to which a disabled parking sign relates for twice the period indicated on the sign.
- (3) A person shall not park a vehicle:
  - (a) in a no parking area;
  - (b) in a parking area, except in accordance with both the signs associated with the parking area and with this local law;
  - (c) in a stall marked 'M/C' unless it is a motorcycle without a sidecar or a trailer, or it is a bicycle.
- (4) A person shall not park a motorcycle without a sidecar or a trailer, or a bicycle in a parking stall unless the stall is marked 'M/C'.
- (5) A person shall not, without the prior permission of the local government, the CEO, or an Authorised Person, park a vehicle in an area designated by a sign stating 'Authorised Vehicles Only'.

### **3.2 Parking vehicle on a carriageway**

- (1) A person parking a vehicle on a carriageway other than in a parking stall shall park it:
  - (a) in the case of a two-way carriageway, so that it is as near as practicable to and parallel with, the left boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the vehicle is parked;
  - (b) in the case of a one-way carriageway, so that it is as near as practicable to and parallel with either boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the vehicle is parked;
  - (c) so that at least 3 metres of the width of the carriageway lies between the vehicle and the farther boundary of the carriageway, or any continuous line or median strip, or between the vehicle and a vehicle parked on the farther side of the carriageway;

## [Appendix ORD: 12.4.1B]

(d) so that the front and the rear of the vehicle respectively is not less than 1 metre from any other vehicle, except a motorcycle without a trailer, or a bicycle parked in accordance with this local law; and

(e) so that it does not obstruct any vehicle on the carriageway,

unless otherwise indicated on a parking regulation sign or markings on the roadway.

(2) In this clause, 'continuous dividing line' means

(a) a single continuous dividing line only;

(b) a single continuous dividing line to the left or right of a broken dividing line; or

(c) 2 parallel continuous dividing lines.

### **3.3 When parallel and right-angled parking apply**

Where a traffic sign associated with a parking area is not inscribed with the words 'angle parking' (or with an equivalent symbol depicting this purpose), then unless a sign associated with the parking area indicates, or marks on the carriageway indicate, that vehicles have to park in a different position, where the parking area is:

(a) adjacent to the boundary of a carriageway, a person parking a vehicle in the parking area shall park it as near as practicable to and parallel with that boundary; and

(b) at or near the centre of the carriageway, a person parking a vehicle in that parking area shall park it at approximately right angles to the centre of the carriageway.

### **3.4 When angle parking applies**

(1) This clause does not apply to:

(a) a passenger vehicle or a commercial vehicle with a mass including any load, of over three tonnes; or

(b) a person parking either a motor cycle without a trailer or a bicycle.

(2) Where a sign associated with a parking area is inscribed with the words 'angle parking' (or with an equivalent symbol depicting this purpose), a person parking a vehicle in the area shall park the vehicle at an angle of approximately 45 degrees to the centre of the carriageway unless otherwise indicated by the inscription on the parking sign or by marks on the carriageway.

### **3.5 General prohibitions on parking**

(1) (a) This clause does not apply to a vehicle parked in a parking stall nor to a bicycle in a bicycle rack.

## [Appendix ORD: 12.4.1B]

- (b) Subclauses (2)(c), (e) and (g) do not apply to a vehicle which parks in a bus embayment.
- (2) Subject to any law relating to intersections with traffic control signals a person shall not park a vehicle so that any portion of the vehicle is:
  - (a) between any other stationary vehicles and the centre of the carriageway;
  - (b) on or adjacent to a median strip;
  - (c) obstructing a right of way, private drive or carriageway or so close as to deny a vehicle reasonable access to or egress from the right of way, private drive or carriageway;
  - (d) alongside or opposite any excavation, works, hoarding, scaffolding or obstruction on the carriageway, if the vehicle would obstruct traffic;
  - (e) on or within 10 metres of any portion of a carriageway bounded by a traffic island;
  - (f) on any footpath or pedestrian crossing;
  - (g) between the boundaries of a carriageway and any double longitudinal line consisting of two continuous lines or between a double longitudinal line consisting of a continuous line and a broken or dotted line and the boundary of a carriageway nearer to the continuous line, unless there is a distance of at least 3 metres clear between the vehicle and the double longitudinal line;
  - (h) on an intersection, except adjacent to a carriageway boundary that is not broken by an intersecting carriageway;
  - (i) within 1 metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug;
  - (j) within 3 metres of a public letter pillar box, unless the vehicle is being used for the purposes of collecting postal articles from the pillar box; or
  - (k) within 10 metres of the nearer property line of any thoroughfare intersecting the thoroughfare on the side on which the vehicle is parked:

unless a sign or markings on the carriageway indicate otherwise.

- (3) A person shall not park a vehicle so that any portion of the vehicle is within 10 metres of the departure side of:
  - (a) a sign inscribed with the words 'Bus Stop' or 'Hail Bus Here' (or with equivalent symbols depicting these purposes) unless the vehicle is a bus stopped to take up or set down passengers; or
  - (b) a children's crossing or pedestrian crossing.

## [Appendix ORD: 12.4.1B]

- (4) A person shall not park a vehicle so that any portion of the vehicle is within 20 metres of the approach side of:
  - (a) a sign inscribed with the words 'Bus Stop' or 'Hail Bus Here' (or with equivalent symbols depicting these purposes) unless the vehicle is a bus stopped to take up or set down passengers;
  - (b) a children's crossing or pedestrian crossing.
- (5) A person shall not park a vehicle so that any portion of the vehicle is within 20 metres of either the approach side or the departure side of the nearest rail of a railway level crossing.

### **3.6 Authorised person may order vehicle on thoroughfare to be moved**

The driver of a vehicle shall not park that vehicle on any part of a thoroughfare in contravention of this local law after an Authorised Person has directed the driver to move it.

### **3.7 Authorised person may mark tyres**

- (1) An Authorised Person may mark the tyres of a vehicle parked in a parking facility with chalk or any other non-indelible substance for a purpose connected with or arising out of his or her duties or powers.
- (2) A person shall not remove a mark made by an Authorised Person so that the purpose of the affixing of such a mark is defeated or likely to be defeated.

### **3.8 No movement of vehicles to avoid time limitation**

- (1) Where the parking of vehicles in a parking facility is permitted for a limited time, a person shall not move a vehicle within the parking facility so that the total time of parking exceeds the maximum time allowed for parking in the parking facility.
- (2) Where the parking of vehicles in a thoroughfare is permitted for a limited time, a person shall not move a vehicle along that thoroughfare so that the total time of parking exceeds the maximum time permitted, unless the vehicle has first been removed from the thoroughfare for at least two hours.

### **3.9 No parking of vehicles exposed for sale and in other circumstances**

A person shall not park a vehicle on any portion of a thoroughfare:

- (a) for the purpose of exposing it for sale;
- (b) if that vehicle is not licensed under the Road Traffic Act;
- (c) if that vehicle is a trailer or a caravan unattached to a motor vehicle; or
- (d) for the purpose of effecting repairs to it, other than the minimum repairs necessary to enable the vehicle to be moved to a place other than a thoroughfare.

## **3.10 Parking on private land**

- (1) In this clause a reference to 'land' does not include land:
  - (a) which belongs to the local government;
  - (b) of which the local government is the management body under the *Land Administration Act 1997*;
  - (c) which is an 'otherwise unvested facility' within section 3.53 of the Act;
  - (d) which is the subject of an agreement referred to in clause 1.5(2); or
  - (e) which is identified in Schedule 4.
- (2) A person shall not park a vehicle on land without the consent of the owner or occupier of the land on which the vehicle is parked.
- (3) Where the owner or occupier of the land, by a sign referable to that land or otherwise, consents to the parking of vehicles of a specified class or classes on the land for a limited period, a person shall not park a vehicle on the land otherwise than in accordance with the consent.

## **3.11 Parking on reserves**

No person other than an employee of the local government in the course of his or her duties or a person authorised by the local government shall drive or park a vehicle upon or over any portion of a reserve other than upon an area specifically set aside for that purpose.

## **3.12 Suspension of parking limitations for urgent, essential or official duties**

- (1) Where by a sign the parking of vehicles is permitted for a limited time on a portion of a thoroughfare or parking facility, the local government, the CEO or an Authorised Person may, subject to the Code, permit a person to park a vehicle in that portion of the thoroughfare or parking facility for longer than the permitted time in order that the person may carry out urgent, essential or official duties.
- (2) Where permission is granted under subclause (1), the local government, the CEO or an Authorised Person may prohibit the use by any other vehicle of that portion of the thoroughfare or parking facility to which the permission relates, for the duration of that permission.

## **4. PART 4 – PARKING AND STOPPING GENERALLY**

### **4.1 No stopping and no parking signs, and yellow edge lines**

- (1) No stopping

A driver shall not stop on a length of carriageway, or in an area, to which a 'no stopping' sign applies.

- (2) No parking

## [Appendix ORD: 12.4.1B]

A driver shall not stop on a length of carriageway or in an area to which a 'no parking' sign applies, unless the driver is:-

- (a) dropping off, or picking up, passengers or goods;
- (b) does not leave the vehicle unattended; and
- (c) completes the dropping off, or picking up, of the passengers or goods within 2 minutes of stopping and drives on.

'unattended', in relation to a vehicle, means that the driver has left the vehicle so that the driver is more than 3 metres from the closest point of the vehicle.

- (3) No stopping on a carriageway with yellow edge lines

A driver shall not stop at the side of a carriageway marked with a continuous yellow edge line.

### **5. PART 5 – STOPPING IN ZONES FOR PARTICULAR VEHICLES**

#### **5.1 Stopping in a loading zone**

A person shall not stop a vehicle in a loading zone unless it is:

- (a) a motor vehicle used for commercial or trade purposes engaged in the picking up or setting down of goods; or
- (b) a motor vehicle taking up or setting down passengers,

but, in any event, shall not remain in that loading zone:

- (c) for longer than a time indicated on the 'loading zone' sign; or
- (d) longer than 30 minutes (if no time is indicated on the sign).

#### **5.2 Stopping in a taxi zone or a bus zone**

- (1) A driver shall not stop in a taxi zone, unless the driver is driving a taxi.
- (2) A driver shall not stop in a bus zone unless the driver is driving a public bus, or a bus of a type that is permitted to stop at the bus zone by information on or with the 'bus zone' sign applying to the bus zone.

#### **5.3 Stopping in a mail zone**

A person shall not stop a vehicle in a mail zone.

#### **5.4 Other limitations in zones**

A person shall not stop a vehicle in a zone to which a traffic sign applies if stopping the vehicle would be contrary to any limitation in respect to classes of persons or vehicles, or specific activities allowed, as indicated by additional words on a traffic sign that applies to the zone.



## 6. PART 6 – OTHER PLACES WHERE STOPPING IS RESTRICTED

### 6.1 Stopping in a shared zone

A driver shall not stop in a shared zone unless:

- (1) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law;
- (2) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under this local law;
- (3) the driver is dropping off, or picking up, passengers or goods; or
- (4) the driver is engaged in door-to-door delivery or collection of goods, or in the collection of waste or garbage.

### 6.2 Double parking

- (1) A driver shall not stop a vehicle so that any portion of the vehicle is between any other stopped vehicle and the centre of the carriageway.
- (2) This clause does not apply to:-
  - (a) a driver stopped in traffic; or
  - (b) a driver angle parking on the side of the carriageway or in a median strip parking area, in accordance with this local law.

### 6.3 Stopping near an obstruction

A driver shall not stop on a carriageway near an obstruction on the carriageway in a position that further obstructs traffic on the carriageway.

### 6.4 Stopping on a bridge or in a tunnel, etc.

- (1) A driver shall not stop a vehicle on a bridge, causeway, ramp or similar structure unless:-
  - (a) the carriageway is at least as wide on the structure as it is on each of the approaches and a traffic sign does not prohibit stopping or parking; or
  - (b) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law.
- (2) A driver shall not stop a vehicle in a tunnel or underpass unless:-
  - (a) the carriageway is at least as wide in the tunnel or underpass as it is on each of the approaches and a traffic sign does not prohibit stopping or parking; or

## [Appendix ORD: 12.4.1B]

- (b) the driver of a motor vehicle stops at a bus stop, or in a bus zone or parking area marked on the carriageway, for the purpose of setting down or taking up passengers.

### **6.5 Stopping on crests, curves, etc.**

- (1) Subject to subclause (2), a driver shall not stop a vehicle on, or partly on, a carriageway, in any position where it is not visible to the driver of an overtaking vehicle, from a distance of 50 metres within a built-up area, and from a distance of 150 metres outside a built-up area.
- (2) A driver may stop on a crest or curve on a carriageway that is not in a built-up area if the driver stops at a place on the carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law.

### **6.6 Stopping near a fire hydrant etc**

- (1) A driver shall not stop a vehicle so that any portion of the vehicle is within 1 metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug, unless:-
  - (a) the driver is driving a public bus, and the driver stops in a bus zone or at a bus stop and does not leave the bus unattended; or
  - (b) the driver is driving a taxi, and the driver stops in a taxi zone and does not leave the taxi unattended.
- (2) In this clause a driver leaves the vehicle 'unattended' if the driver leaves the vehicle so the driver is over 3 metres from the closest point of the vehicle.

### **6.7 Stopping at or near a bus stop**

- (1) A driver shall not stop a vehicle so that any portion of the vehicle is within 20 metres of the approach side of a bus stop, or within 10 metres of the departure side of a bus stop, unless:-
  - (a) the vehicle is a public bus stopped to take up or set down passengers; or
  - (b) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law.
- (2) In this clause:-
  - (a) distances are measured in the direction in which the driver is driving; and
  - (b) a trailer attached to a public bus is deemed to be a part of the public bus.

### **6.8 Stopping on a path, median strip, or traffic island**

The driver of a vehicle (other than a bicycle or an animal) shall not stop so that any portion of the vehicle is on a path, traffic island or median strip, unless the

## [Appendix ORD: 12.4.1B]

driver stops in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law.

### **6.9 Stopping on verge**

- (1) A person shall not:-
  - (a) stop a vehicle (other than a bicycle);
  - (b) stop a commercial vehicle or bus, or a trailer or caravan unattached to a motor vehicle; or
  - (c) stop a vehicle during any period when the stopping of vehicles on that verge is prohibited by a sign adjacent and referable to that verge,so that any portion of it is on a verge.
- (2) Subclause (1)(a) does not apply to the person if he or she is the owner or occupier of the premises adjacent to that verge, or is a person authorised by the occupier of those premises to stop the vehicle so that any portion of it is on the verge.
- (3) Subclause (1)(b) does not apply to a commercial vehicle when it is being loaded or unloaded with reasonable expedition with goods, merchandise or materials collected from or delivered to the premises adjacent to the portion of the verge on which the commercial vehicle is parked, provided no obstruction is caused to the passage of any vehicle or person using a carriageway or a path.

### **6.10 Obstructing access to and from a path, driveway, etc.**

- (1) A driver shall not stop a vehicle so that any portion of the vehicle is in front of a path, in a position that obstructs access by vehicles or pedestrians to or from that path, unless:-
  - (a) the driver is dropping off, or picking up, passengers; or
  - (b) the driver stops in a parking stall and the driver is permitted to stop in the parking stall under this local law.
- (2) A driver shall not stop a vehicle on or across a driveway or other way of access for vehicles travelling to or from adjacent land, unless:-
  - (a) the driver is dropping off, or picking up, passengers; or
  - (b) the driver stops in a parking stall and the driver is permitted to stop in the parking stall under this local law.

### **6.11 Stopping near a letter box**

A driver shall not stop a vehicle so that any portion of the vehicle is within 3 metres of a public letter box, unless the driver:-

- (a) is dropping off, or picking up, passengers or mail; or

## [Appendix ORD: 12.4.1B]

- (b) stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law.

### **6.12 Stopping on a carriageway – heavy and long vehicles**

- (1) A person shall not park a vehicle or any combination of vehicles, that, together with any projection on, or load carried by, the vehicle or combination of vehicles, is 7.5 metres or more in length or exceeds a GVM of 4.5 tonnes:-
  - (a) on a carriageway in a built-up area, for any period exceeding 1 hour, unless engaged in the picking up or setting down of goods; or
  - (b) on a carriageway outside a built-up area, except on the shoulder of the carriageway, or in a truck bay or other area set aside for the parking of goods vehicles.
- (2) Nothing in this clause mitigates the limitations or condition imposed by any other clause or by any local law or traffic sign relating to the parking or stopping of vehicles.

### **6.13 Stopping on a carriageway with a bicycle parking sign**

The driver of a vehicle (other than a bicycle) shall not stop on a length of carriageway to which a 'bicycle parking' sign applies, unless the driver is dropping off, or picking up, passengers.

### **6.14 Stopping on a carriageway with motor cycle parking sign**

The driver of a vehicle shall not stop on a length of carriageway, or in an area, to which a 'motor cycle parking' sign applies, or an area marked 'M/C' unless:-

- (a) the vehicle is a motor cycle; or
- (b) the driver is dropping off, or picking up, passengers.

### **6.15 Stopping in a parking stall for people with disabilities**

- (1) A driver shall not stop in a parking area for people with disabilities unless:
  - (a) the driver's vehicle displays an ACROD sticker; and
  - (b) either the driver or the passenger in that vehicle is a person with disabilities.
- (2) In this clause a 'parking area for people with disabilities' is a length or area:
  - (a) to which a 'permissive parking' sign displaying a people with disabilities symbol applies;
  - (b) to which a 'people with disabilities parking' sign applies;
  - (c) indicated by a road marking (a 'people with disabilities road marking') that consists of, or includes, a people with disabilities symbol; or

# [Appendix ORD: 12.4.1B]

- (d) set aside within a parking region as a 'parking stall for use of a disabled person' under the *Local Government (Parking for Disabled Persons) Regulations 1988*.

## 7. PART 7 - MISCELLANEOUS

### 7.1 Removal of notices on vehicle

A person, other than the driver of the vehicle or a person acting under the direction of the driver of the vehicle, shall not remove from the vehicle any notice put on the vehicle by an Authorised Person.

### 7.2 Unauthorised signs and defacing of signs

A person shall not without the authority of the local government:-

- (a) mark, set up or exhibit a sign purporting to be or resembling a sign marked, set up or exhibited by the local government under this local law;
- (b) remove, deface or misuse a sign or property, set up or exhibited by the local government under this local law or attempt to do any such act; or
- (c) affix a board, sign, placard, notice or other thing to or paint or write upon any part of a sign set up or exhibited by the local government under this local law.

### 7.3 Signs must be complied with

An inscription or symbol on a sign operates and has effect according to its tenor and a person contravening the direction on a sign commits an offence under this local law.

### 7.4 General provisions about signs

- (1) A sign marked, erected, set up, established or displayed on or near a thoroughfare is, in the absence of evidence to the contrary presumed to be a sign marked, erected, set up, established or displayed under the authority of this local law.
- (2) The first three letters of any day of the week when used on a sign indicate that day of the week.

### 7.5 Special purpose and emergency vehicles

Notwithstanding anything to the contrary in this local law, the driver of:-

- (a) a special purpose vehicle may, only in the course of his or her duties and when it is expedient and safe to do so, stop, or park the vehicle in any place, at any time; and
- (b) an emergency vehicle may, in the course of his or her duties and when it is expedient and safe to do so or where he or she honestly and reasonably believes that it is expedient and safe to do so, stop, or park the vehicle at any place, at any time.

# **[Appendix ORD: 12.4.1B]**

## **7.6 Vehicles not to obstruct a public place**

- (1) A person shall not leave a vehicle, or any part of a vehicle, in a public place so that it obstructs the use of any part of that public place without the permission of the local government or unless authorised under any written law.
- (2) A person will not contravene subclause (1) where the vehicle is left for a period not exceeding 24 hours.

## **8. PART 8 - PENALTIES**

### **8.1 Offences and penalties**

- (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) An offence against any provision of this local law is a prescribed offence for the purposes of section 9.16(1) of the Act.
- (3) Any person who commits an offence under this local law shall be liable, upon conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.
- (4) The amount appearing in the final column of Schedule 2 directly opposite a clause specified in that Schedule is the modified penalty for an offence against that clause.

### **8.2 Form of notices**

For the purposes of this local law:-

- (a) the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 3;
- (b) the form of the infringement notice referred to in section 9.17 of the Act is that of Form 2 in Schedule 3;
- (c) the form of the infringement notice referred to in section 9.17 of the Act which incorporates the notice referred to in section 9.13 of the Act, is that of Form 3 in Schedule 3; and
- (d) the form of the notice referred to in section 9.20 of the Act is that of Form 4 in Schedule 3.

# **[Appendix ORD: 12.4.1B]**

## **SCHEDULE 1**

### **PARKING REGION**

The parking region is the whole of the district, but excludes the following portions of the district:-

1. the approach and departure prohibition areas of all existing and future traffic control signal installations as determined by the Commissioner of Main Roads;
2. prohibition areas applicable to all existing and future bridges and subways as determined by the Commissioner of Main Roads; and
3. any road which comes under the control of the Commissioner of Main Roads unless the control of parking and parking facilities on that road is carried out subject to the control and direction of the Commissioner of Main Roads or has been delegated by the Commissioner to the local government.

# [Appendix ORD: 12.4.1B]

## SCHEDULE 2

### PRESCRIBED OFFENCES

#### SHIRE OF DARDANUP

#### PARKING AND PARKING FACILITIES LOCAL LAW

ITEM NO.	CLAUSE NO.	NATURE OF OFFENCE	MODIFIED PENALTY \$
1	2.2	Failure to park wholly within parking stall	55
2	2.2(4)	Failure to park wholly within parking area	55
3	2.3(1)(a)	Causing obstruction in parking station	55
4	2.3(1)(b)	Parking contrary to sign in parking station	55
5	2.3(1)(c)	Parking contrary to directions of Authorised Person	55
6	2.3(1)(d)	Parking or attempting to park a vehicle in a parking stall occupied by another vehicle	55
7	3.1(1)(a)	Parking wrong class of vehicle	55
8	3.1(1)(b)	Parking by persons of a different class	55
9	3.1(1)(c)	Parking during prohibited period	55
10	3.1(3)(a)	Parking in no parking area	55
11	3.1(3)(b)	Parking contrary to signs or limitations	55
12	3.1(3)(c)	Parking vehicle in motor cycle only area	55
13	3.1(4)	Parking motor cycle in stall not marked 'M/C'	55
14	3.1(5)	Parking without permission in an area designated for 'Authorised Vehicles Only'	55
15	3.2(1)(a)	Failure to park on the left of two-way carriageway	55
16	3.2(1)(b)	Failure to park on boundary of one-way carriageway	55
17	3.2(1)(a) or 3.2(1)(b)	Parking against the flow of traffic	55
18	3.2(1)(c)	Parking when distance from farther boundary less than 3 metres	55
19	3.2(1)(d)	Parking closer than 1 metre from another vehicle	55



## [Appendix ORD: 12.4.1B]

ITEM NO.	CLAUSE NO.	NATURE OF OFFENCE	MODIFIED PENALTY \$
20	3.2(1)(e)	Causing obstruction	55
21	3.3(b)	Failure to park at approximate right angle	55
22	3.4(2)	Failure to park at an appropriate angle	55
23	3.5(2)(a) and 6.2	Double parking	55
24	3.5(2)(b)	Parking on or adjacent to a median strip	55
25	3.5(2)(c)	Denying access to private drive or right of way	55
26	3.5(2)(d)	Parking beside excavation or obstruction so as to obstruct traffic	55
27	3.5(2)(e)	Parking within 10 metres of traffic island	55
28	3.5(2)(f)	Parking on footpath/pedestrian crossing	55
29	3.5(2)(g)	Parking contrary to continuous line markings	55
30	3.5(2)(h)	Parking on intersection	55
31	3.5(2)(i)	Parking within 1 metre of fire hydrant or fire plug	55
32	3.5(2)(j)	Parking within 3 metres of public letter box	55
33	3.5(2)(k)	Parking within 10 metres of intersection	55
34	3.5(3)(a) or (b)	Parking vehicle within 10 metres of departure side of bus stop, children's crossing or pedestrian crossing	55
35	3.5(4)(a) or (b)	Parking vehicle within 20 metres of approach side of bus stop, children's crossing or pedestrian crossing	55
36	3.5(5)	Parking vehicle within 20 metres of approach side or departure side of railway level crossing	55
37	3.6	Parking contrary to direction of Authorised Person	55
38	3.7(2)	Removing mark of Authorised Person	55
39	3.8	Moving vehicle to avoid time limitation	55
40	3.9(a)	Parking in thoroughfare for purpose of sale	55
41	3.9(b)	Parking unlicensed vehicle in thoroughfare	55

## [Appendix ORD: 12.4.1B]

ITEM NO.	CLAUSE NO.	NATURE OF OFFENCE	MODIFIED PENALTY \$
42	3.9(c)	Parking a trailer/caravan on a thoroughfare	55
43	3.9(d)	Parking in thoroughfare for purpose of repairs	55
44	3.10(1)or (2)	Parking on land that is not a parking facility without consent	55
45	3.10(3)	Parking on land not in accordance with consent	55
46	3.11	Driving or parking on reserve	55
47	4.1(1)	Stopping contrary to a 'no stopping' sign	55
48	4.1(2)	Parking contrary to a 'no parking' sign	55
49	4.1(3)	Stopping within continuous yellow lines	55
50	5.1	Stopping unlawfully in a loading zone	55
51	5.2	Stopping unlawfully in a taxi zone or bus zone	55
52	5.3	Stopping unlawfully in a mail zone	55
53	5.4	Stopping in a zone contrary to a sign	55
54	6.1	Stopping in a shared zone	55
55	6.3	Stopping near an obstruction	55
56	6.4	Stopping on a bridge or tunnel	55
57	6.5	Stopping on crests/curves etc	55
58	6.6	Stopping near fire hydrant	55
59	6.7	Stopping near bus stop	55
60	6.8	Stopping on path, median strip or traffic island	55
61	6.9	Stopping on verge	55
62	6.10	Obstructing path, a driveway etc	55
63	6.11	Stopping near letter box	55
64	6.12	Stopping heavy or long vehicles on carriageway	55
65	6.13	Stopping in bicycle parking area	55
66	6.14	Stopping in motorcycle parking area	55

## [Appendix ORD: 12.4.1B]

ITEM NO.	CLAUSE NO.	NATURE OF OFFENCE	MODIFIED PENALTY \$
67	6.15	Stopping in disabled parking area	55
68	7.6	Leaving vehicle so as to obstruct a public place	55
69		All other offences not specified	55

# [Appendix ORD: 12.4.1B]

## SCHEDULE 3

### FORMS

#### LOCAL GOVERNMENT ACT 1995

#### SHIRE OF DARDANUP

#### FORM 1

#### PARKING AND PARKING FACILITIES LOCAL LAW 2009

#### NOTICE TO OWNER OF VEHICLE INVOLVED IN OFFENCE

Date ..... / ..... / .....

To: (1) .....

of: (2) .....

It is alleged that on ..... / ..... / ..... at (3) .....

at (4) ..... your vehicle:

make: ..... ;

model: ..... ;

registration: ..... ,

was involved in the commission of the following offence - .....

.....  
.....  
.....  
.....

contrary to clause ..... of the **Parking and Parking Facilities Local Law 2009**.

You are required under section 9.13 of the Local Government Act 1995 to identify the person who was the driver or person in charge of the vehicle at the time when the offence is alleged to have been committed.

If you do not prove otherwise, you will be deemed to have committed the offence unless:

- (a) within 28 days after being served with this notice;
  - (i) you inform the Chief Executive Officer or another authorised officer of the local government as to the identity and address of the person who was the driver or person in charge of the vehicle at the time the offence is alleged to have been committed; and
  - (ii) you satisfy the Chief Executive Officer that the vehicle had been stolen, or was being unlawfully used, at the time the offence is alleged to have been committed;

or

## [Appendix ORD: 12.4.1B]

- (b) you were given an infringement notice for the alleged offence and the modified penalty specified in it is paid within 28 days after the notice was given or such further time as is allowed.

(5) .....

(6) .....

Insert:

- (1) Name of owner or 'the owner'
- (2) Address of owner (not required if owner not named)
- (3) Time of alleged offence
- (4) Location of alleged offence
- (5) Signature of authorised person
- (6) Name and title of authorised person giving notice

# [Appendix ORD: 12.4.1B]

## SCHEDULE 3

### LOCAL GOVERNMENT ACT 1995

#### SHIRE OF DARDANUP

#### FORM 2

### PARKING AND PARKING FACILITIES LOCAL LAW 2009

#### INFRINGEMENT NOTICE

Serial No .....

Date ..... / ..... / .....

To: (1) .....

of: (2) .....

It is alleged that on ..... / ..... / ..... at (3) .....  
at (4) .....  
in respect of vehicle:

make: ..... ;

model: ..... ;

registration: ..... ,

you committed the following offence:

.....  
.....  
.....

contrary to clause ..... of the **Parking and Parking Facilities Local Law 2009**.

The modified penalty for the offence is \$ .....

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty may be paid to an authorised person at (5) ..... within a period of 28 days after the giving of this notice.

If you take no action this infringement notice may be registered with the Fines Enforcement Registry after which your driver's licence or any vehicle licence held by you may be suspended. If the matter is registered with the Registry additional costs will also be payable.

If the above address is not your current address, or if you change your address, it is important that you advise us immediately. Failure to do so may result in your driver's licence or any vehicle licence you hold being suspended without your knowledge.

(6) .....

(7) .....

# [Appendix ORD: 12.4.1B]

Insert:

- (1) Name of alleged offender or 'the owner'
- (2) Address of alleged offender
- (3) Time of alleged offence
- (4) Location of alleged offence
- (5) Place where modified penalty may be paid
- (6) Signature of authorised person
- (7) Name and title of authorised person giving notice

# [Appendix ORD: 12.4.1B]

## SCHEDULE 3

### LOCAL GOVERNMENT ACT 1995

#### SHIRE OF DARDANUP

#### FORM 3

### PARKING AND PARKING FACILITIES LOCAL LAW 2009

#### INFRINGEMENT NOTICE

Serial No .....

Date ..... / ..... / .....

To: (1) .....

of: (2) .....

It is alleged that on ..... / ..... / ..... at (3) .....  
at (4) .....  
in respect of vehicle:

make: ..... ;

model: ..... ;

registration: ..... ,

you committed the following offence:

.....  
.....  
.....

contrary to clause ..... of the **Parking and Parking Facilities Local Law 2009**.

The modified penalty for the offence is \$ .....

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty may be paid to an authorised person at (5) ..... within a period of 28 days after the giving of this notice.

Unless within 28 days after being served with this notice:

(a) you pay the modified penalty; or

(b) you:

(i) inform the Chief Executive Officer or another authorised officer of the local government as to the identity and address of the person who was the driver or



## [Appendix ORD: 12.4.1B]

person in charge of the above vehicle at the time the offence is alleged to have been committed; or

- (ii) satisfy the Chief Executive Officer that the above vehicle had been stolen or was being unlawfully used at the time the offence is alleged to have been committed,

you will, in the absence of proof to the contrary, be deemed to have committed the above offence and court proceedings may be instituted against you.

If you take no action this infringement notice may be registered with the Fines Enforcement Registry after which your driver's licence or any vehicle licence held by you may be suspended. If the matter is registered with the Registry additional costs will also be payable.

If the above address is not your current address, or if you change your address, it is important that you advise us immediately. Failure to do so may result in your driver's licence or any vehicle licence you hold being suspended without your knowledge.

(6) .....

(7) .....

Insert:

- (1) Name of owner or 'the owner'
- (2) Address of owner (not required if owner not named)
- (3) Time of alleged offence
- (4) Location of alleged offence
- (5) Place where modified penalty may be paid
- (6) Signature of authorised person
- (8) Name and title of authorised person giving notice

# [Appendix ORD: 12.4.1B]

## SCHEDULE 3

### LOCAL GOVERNMENT ACT 1995

#### SHIRE OF DARDANUP

#### FORM 4

### PARKING AND PARKING FACILITIES LOCAL LAW 2009

#### WITHDRAWAL OF INFRINGEMENT NOTICE

Serial No .....

Date ..... / ..... / .....

To: (1) .....

of: (2) .....

Infringement Notice No. .... dated ..... / ..... / .....

in respect of vehicle:

make: ..... ;

model: ..... ;

registration: ..... ,

for the alleged offence of .....

.....

.....

has been withdrawn.

The modified penalty of \$ .....

- has been paid and a refund is enclosed.
- has not been paid and should not be paid.
- delete as appropriate.

(3) .....

(4) .....

Insert:

(1) Name of alleged offender to whom infringement notice was given or 'the owner'.

(2) Address of alleged offender.

(3) Signature of authorised person

(4) Name and title of authorised person giving notice

## SCHEDULE 4

### SHIRE OF DARDANUP

#### DEEMED PARKING STATIONS

#### PARKING AND PARKING FACILITIES LOCAL LAW 2009

- 1) Lot 15 Cassowary Bend, Eaton.

---

Dated .....

The Common Seal of the )  
Shire of Dardanup was )  
affixed by authority of a )  
resolution of the Council in )  
the presence of:- )

---

Cr Michael T Bennett  
Shire President

---

Mr Mark L Chester  
Chief Executive Officer

AMENDMENT:

PERTH, TUESDAY, 6 MAY 2014 No. 64

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 12.00 NOON

© STATE OF WESTERN AUSTRALIA

## CONTENTS

## PART 1

	Page
Environmental Protection (Western Power Electrical Distribution Transformer Noise Emissions) Approval 2014.....	1377
Lotteries Commission (Saturday Lotto) Amendment Rules 2014.....	1386
Shire of Dardanup—	
Extractive Industries Amendment Local Law 2014.....	1382
Parking and Parking Facilities Amendment Local Law 2014.....	1383

LG302\*

## LOCAL GOVERNMENT ACT 1995

*Shire of Dardanup*

## PARKING AND PARKING FACILITIES AMENDMENT LOCAL LAW 2014

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Dardanup resolved on 30 April 2014 to make the following local law

**1. Citation**

This Local Law shall be cited as the *Shire of Dardanup Parking and Parking Facilities Amendment Local Law 2014*.

**2. Commencement**

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

**3. Principal local law**

In this local law, the *Shire of Dardanup Parking and Parking Facilities Local Law 2009* as published in the *Government Gazette* on 23 November 2009 is referred to as the principal local law. The principal local law is amended as follows.

**4. Clause 1.3 amended**

In clause 1.3 delete "*Road Traffic Code 1977*" and replace with "*Road Traffic Code 2000*".

**5. Schedule 2 amended**

Delete Schedule 2 and substitute the following—

## Schedule 2—Prescribed Offences

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
1	2.2	Failure to park wholly within parking stall	55
2	2.2(4)	Failure to park wholly within parking area	55

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
3	2.3(1)(a)	Causing obstruction in parking station	55
4	2.3(1)(b)	Parking contrary to sign in parking station	55
5	2.3(1)(c)	Parking contrary to directions of Authorised Person	55
6	2.3(1)(d)	Parking or attempting to park a vehicle in a parking stall occupied by another vehicle	55
7	3.1(1)(a)	Parking wrong class of vehicle	55
8	3.1(1)(b)	Parking by persons of a different class	55
9	3.1(1)(c)	Parking during prohibited period	55
10	3.1(3)(a)	Parking in no parking area	55
11	3.1(3)(b)	Parking contrary to signs or limitations	55
12	3.1(3)(c)	Parking vehicle in motor cycle only area	55
13	3.1(4)	Parking motor cycle in stall not marked 'M/C'	55
14	3.1(5)	Parking without permission in an area designated for 'Authorised Vehicles Only'	55
15	3.2(1)(a)	Failure to park on the left of two-way carriageway	55
16	3.2(1)(b)	Failure to park on boundary of one-way carriageway	55
17	3.2(1)(a) or 3.2(1)(b)	Parking against the flow of traffic	55
18	3.2(1)(c)	Parking when distance from farther boundary less than 3 metres	55
19	3.2(1)(d)	Parking closer than 1 metre from another vehicle	55
20	3.2(1)(e)	Causing obstruction	55
21	3.3(b)	Failure to park at approximate right angle	55
22	3.4(2)	Failure to park at an appropriate angle	55
23	3.5(2)(a) and 6.2	Double parking	55
24	3.5(2)(b)	Parking on or adjacent to a median strip	55
25	3.5(2)(c)	Denying access to private drive or right of way	55
26	3.5(2)(d)	Parking beside excavation or obstruction so as to obstruct traffic	55
27	3.5(2)(e)	Parking within 10 metres of traffic island	55
28	3.5(2)(f)	Parking on footpath/pedestrian crossing	55
29	3.5(2)(g)	Parking contrary to continuous line markings	55
30	3.5(2)(h)	Parking on intersection	55
31	3.5(2)(i)	Parking within 1 metre of fire hydrant or fire plug	55
32	3.5(2)(j)	Parking within 3 metres of public letter box	55
33	3.5(2)(k)	Parking within 10 metres of intersection	55
34	3.5(3)(a) or (b)	Parking vehicle within 10 metres of departure side of bus stop, children's crossing or pedestrian crossing	55

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
35	3.5(4)(a) or (b)	Parking vehicle within 20 metres of approach side of bus stop, children's crossing or pedestrian crossing	55
36	3.5(5)	Parking vehicle within 20 metres of approach side or departure side of railway level crossing	55
37	3.6	Parking contrary to direction of Authorised Person	55
38	3.7(2)	Removing mark of Authorised Person	55
39	3.8	Moving vehicle to avoid time limitation	55
40	3.9(a)	Parking in thoroughfare for purpose of sale	55
41	3.9(b)	Parking unlicensed vehicle in thoroughfare	55
42	3.9(c)	Parking a trailer/caravan on a thoroughfare	55
43	3.9(d)	Parking in thoroughfare for purpose of repairs	55
44	3.10(1) or (2)	Parking on land that is not a parking facility without consent	55
45	3.10(3)	Parking on land not in accordance with consent	55
46	3.11	Driving or parking on reserve	55
47	4.1(1)	Stopping contrary to a 'no stopping' sign	55
48	4.1(2)	Parking contrary to a 'no parking' sign	55
49	4.1(3)	Stopping within continuous yellow lines	55
50	5.1	Stopping unlawfully in a loading zone	55
51	5.2	Stopping unlawfully in a taxi zone or bus zone	55
52	5.3	Stopping unlawfully in a mail zone	55
53	5.4	Stopping in a zone contrary to a sign	55
54	6.1	Stopping in a shared zone	55
55	6.3	Stopping near an obstruction	55
56	6.4	Stopping on a bridge or tunnel	55
57	6.5	Stopping on crests/curves etc	55
58	6.6	Stopping near fire hydrant	55
59	6.7	Stopping near bus stop	55
60	6.8	Stopping on path, median strip or traffic island	55
61	6.9	Stopping on verge	55
62	6.10	Obstructing path, a driveway etc	55
63	6.11	Stopping near letter box	55
64	6.12	Stopping heavy or long vehicles on carriageway	55
65	6.13	Stopping in bicycle parking area	55
66	6.14	Stopping in motorcycle parking area	55
67	6.15	Stopping in disabled parking area	55
68	7.6	Leaving vehicle so as to obstruct a public place	55

# [Appendix ORD: 12.4.1B]

1386

GOVERNMENT GAZETTE, WA

6 May 2014

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
69		All other offences not specified	55

Dated 30/04/2014.

The Common Seal of the Shire of Dardanup was affixed by authority of a resolution of the Council in the presence of—

Cr. MICHAEL T. BENNETT, President.  
Mr MARK L. CHESTER, Chief Executive Officer.

# PROPOSED LOCAL LAW

**LOCAL GOVERNMENT ACT 1995**

**SHIRE OF DARDANUP  
PARKING LOCAL LAW 2023**



**LOCAL GOVERNMENT ACT 1995**

**SHIRE OF DARDANUP**

**PARKING LOCAL LAW 2023**

**CONTENTS**

**PART 1 – PRELIMINARY**

- 1.1 Citation
- 1.2 Commencement
- 1.3 Terms used
- 1.4 Repeal
- 1.5 Application of particular definitions
- 1.6 Application
- 1.7 Pre-existing signs
- 1.8 Classes of vehicles
- 1.9 Part of thoroughfare to which sign applies
- 1.10 Powers of the local government

**PART 2 – PARKING STALLS AND PARKING FACILITIES**

- 2.1 Determination of parking stalls and parking facilities
- 2.2 Vehicles to be within parking stall on a thoroughfare
- 2.3 Payment of fee to park in a parking facility
- 2.4 Suspension of parking facility restrictions
- 2.5 Vehicle not to be removed until fee paid
- 2.6 Entitlement to receipt
- 2.7 Parking ticket to be clearly visible
- 2.8 Parking prohibitions and restrictions

**PART 3 – PARKING GENERALLY**

- 3.1 Restrictions on parking in particular areas
- 3.2 Parking vehicle on a carriageway
- 3.3 When parallel and right-angled parking apply
- 3.4 When angle parking applies
- 3.5 General prohibitions on parking
- 3.6 Authorised person may order vehicle on thoroughfare to be moved
- 3.7 Authorised person may mark the tyres of a vehicle
- 3.8 No movement of vehicles to avoid time limitation
- 3.9 No parking of vehicles exposed for sale and in other circumstances
- 3.10 Parking on private land

- 3.11 Parking on local government property
- 3.12 Suspension of parking limitations for urgent, essential or official duties

**PART 4 – PARKING AND STOPPING GENERALLY**

- 4.1 No stopping and no parking signs, and yellow edge lines

**PART 5 – STOPPING IN ZONES FOR PARTICULAR VEHICLES**

- 5.1 Stopping in a loading zone
- 5.2 Stopping in a taxi zone or a bus zone
- 5.3 Stopping in a mail zone
- 5.4 Other limitations in zones

**PART 6 – OTHER PLACES WHERE STOPPING IS RESTRICTED**

- 6.1 Stopping in a shared zone
- 6.2 Double parking
- 6.3 Stopping near an obstruction
- 6.4 Stopping on a bridge or in a tunnel, etc.
- 6.5 Stopping on crests, curves, etc.
- 6.6 Stopping near a fire hydrant etc.
- 6.7 Stopping at or near a bus stop
- 6.8 Stopping on a path, median strip, or traffic island
- 6.9 Stopping on verge
- 6.10 Obstructing access to and from a footpath, driveway, etc.
- 6.11 Stopping near a letter box
- 6.12 Stopping on a carriageway – heavy and long vehicles
- 6.13 Stopping on a carriageway with a bicycle parking sign
- 6.14 Stopping on a carriageway with motor cycle parking sign

**PART 7 – MISCELLANEOUS**

- 7.1 Removal of notices on vehicle
- 7.2 Unauthorised signs and defacing of signs
- 7.3 Signs must be complied with
- 7.4 General provisions about signs
- 7.5 Special purpose and emergency vehicles
- 7.6 Vehicles not to obstruct a public place
- 7.7 Hindrance of an authorised person

**PART 8 - PENALTIES**

- 8.1 Offences and penalties
- 8.2 Form of notices

**SCHEDULE 1 – PARKING REGION**

**SCHEDULE 2 – PRESCRIBED OFFENCES**

**OFFENCES AND MODIFIED PENALTIES**

# [Appendix ORD: 12.4.1C] (Proposed Local Law)

## LOCAL GOVERNMENT ACT 1995

### SHIRE OF DARDANUP PARKING LOCAL LAW 2023

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Dardanup resolved on *[insert date]* to make the following local law.

#### PART 1 – PRELIMINARY

##### 1.1 Citation

This local law is cited as the *Shire of Dardanup Parking Local Law 2023*.

##### 1.2 Commencement

This local law comes into operation 14 days after it is published in the *Government Gazette*.

##### 1.3 Repeal

The *Shire of Dardanup Parking and Parking Facilities Local Law 2009* published in the *Government Gazette* on 23 November 2009, is repealed.

##### 1.4 Terms used

In this local law unless the context otherwise requires –

**Act** means the *Local Government Act 1995*;

**authorised person** means a person appointed by the Council or the CEO under section 9.10 of the Act, to perform any of the functions of an authorised person under this local law;

**authorised vehicle** means a vehicle authorised by the local government, CEO, authorised person or under any written law to park on a thoroughfare or parking facility;

**bicycle** has the meaning given to it by the Code;

**bicycle path** has the meaning given to it by the Code;

**built-up area** has the meaning given to it by the Code;

**bus** has the meaning given to it by the Code;

**bus embayment** has the meaning given to it by the Code;

**bus stop** has the meaning given to it by the Code;

**bus zone** has the meaning given to it by the Code;

**caravan** has the same meaning given to it by the *Caravan Parks and Camping Grounds Act 1995*;

**carriageway** has the meaning given to it by the Code;

**centre**, in relation to a carriageway, has the meaning given to it by the Code;

**children's crossing** has the meaning given to it by the Code;

**CEO** means the Chief Executive Officer of the local government;

**Code** means the *Road Traffic Code 2000*;

**commercial vehicle** means a motor vehicle constructed for the conveyance of goods or merchandise, or for the conveyance of materials used in any trade, business, industry or work whatsoever, other than a motor vehicle for the conveyance of passengers, and includes any motor vehicle that is designed primarily for the carriage of persons but which has been fitted or adapted for the conveyance of the goods, merchandise or materials referred to, and is in fact used for that purpose;

**Council** means the Council of the Shire of Dardanup;

**disability parking permit** has the meaning given to it by the Code;

**district** means the district of the local government;

**driver** means any person driving or in control of a vehicle;

**edge line**, for a carriageway, has the meaning given to it by the Code;

**emergency vehicle** has the meaning given to it by the Code;

**footpath** has the meaning given to it by the Code;

**GVM** (which stands for gross vehicle mass) has the meaning given to it in the *Road Traffic (Vehicles) Act 2012*;

**loading zone** has the meaning given to it by the Code;

**local government** means the Shire of Dardanup;

## [Appendix ORD: 12.4.1C] (Proposed Local Law)

**local government property** means anything —

- (a) which belongs to, is owned by or is under the care, control and management of the local government;
- (b) which is an ‘otherwise unvested facility’ within section 3.53 of the Act; or
- (c) of which the local government is a management body under the *Land Administration Act 1997*;

**mail zone** has the meaning given to it by the Code;

**median strip** has the meaning given to it by the Code;

**motorcycle** has the meaning given to it by the Code;

**motor vehicle** has the meaning given to it by the *Road Traffic (Administration) Act 2008*;

**motorised scooter** has the meaning given to it by the Code;

**nature strip** has the meaning given to it by the Code;

**no parking area** has the meaning given to it by the Code;

**no parking sign** means a sign with the words ‘no parking’ in red letters on a white background, or the letter P within a red annulus and a red diagonal line across it on a white background;

**no stopping area** has the meaning given to it by the Code;

**no stopping sign** means a sign with the words ‘no stopping’ or ‘no standing’ in red letters on a white background or the letter S within a red annulus and a red diagonal line across it on a white background;

**obstructing** means causing or allowing a motor vehicle, trailer, or other object to stand on a road in such a way that it is likely to impede other road users;

**occupier** has the meaning given to it by the Act;

**owner** —

- (a) where used in relation to a vehicle licensed under the Road Traffic Act, means the person in whose name the vehicle has been registered under the Road Traffic Act;
- (b) where used in relation to any other vehicle, means the person who owns, or is entitled to possession of that vehicle; and
- (c) where used in relation to land, has the meaning given to it by the Act;

**painted island** has the meaning given to it by the Code;

**park** has the meaning given to it by the Code;

**parking area** has the meaning given to it by the Code;

**parking facilities**—

- (a) means land, buildings, shelters, parking stalls and other facilities open to the public generally for the parking of vehicles with or without charge; and
- (b) includes signs, notices and facilities used in connection with the parking of vehicles;

**parking region** means the area described in Schedule 1;

**parking stall** means a section or part of a thoroughfare or of a parking facility which is marked or defined by painted lines, metallic studs, coloured bricks or pavers or similar devices for the purpose of indicating where a vehicle may be parked;

**parking station** means any land, or structure provided for the purpose of accommodating vehicles with or without charge;

**path** has the same meaning given to it by the Code;

**pedestrian crossing** has the meaning given to it by the Code;

**public bus** has the same meaning given to it by the Code;

**public place** means any place to which the public has access whether or not that place is on private property;

**reserve** means any land—

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the Land Administration Act 1997; or
- (c) which is an otherwise unvested facility within section 3.53 of the Act;

**road** has the meaning given to it by the *Road Traffic (Administration) Act 2008*;

**Road Traffic Act** means the *Road Traffic Act 1974*;

**Schedule** means a Schedule to this local law;

**shared zone** has the meaning given to it by the Code;

**sign** includes a traffic sign, inscription, road marking, mark, structure or device, on which may be shown words, numbers, expressions or symbols, that is—

# [Appendix ORD: 12.4.1C] (Proposed Local Law)

- (a) approved by the CEO or an authorised person; and
  - (b) placed on or near a thoroughfare or within a parking station or reserve for the purpose of prohibiting, regulating, guiding, directing or restricting the parking and stopping of vehicles;
- special purpose vehicle** has the meaning given to it by the Code;
- stop** in relation to a vehicle means to stop a vehicle and permit it to remain stationary, except for the purposes of avoiding conflict with other traffic or of complying with the provisions of any law;
- symbol** includes any symbol specified by Australian Standard 1742.11-2016 and any symbol specified from time to time by Standards Australia for use in the regulation of parking and any reference to the wording of any sign in this local law shall be also deemed to include a reference to the corresponding symbol;
- taxi** has the meaning given to it by the Code;
- taxi zone** has the meaning given to it by the Code;
- thoroughfare** has the meaning given to it by the Act;
- traffic island** has the meaning given to it by the Code;
- trailer** has the meaning given to it by the Code;
- vehicle** has the meaning given to it by the Code;
- verge** means the portion of a thoroughfare which lies between the boundary of a carriageway and the adjacent property line and includes any part of the verge designed for or intended for use by vehicles but does not include a footpath;

## 1.5 Application of particular definitions

- (1) For the purposes of the application of the definitions ‘**no parking area**’ and ‘**parking area**’, an arrow inscribed on a traffic sign erected at an angle to the boundary of the carriageway is deemed to be pointing in the direction in which it would point, if the signs were turned at an angle of less than 90 degrees until parallel with the boundary.
- (2) Unless the context otherwise requires, where a term is used, but not defined, in this local law, and that term is defined in the Road Traffic Act or in the Code, then the term has the meaning given to it in that Act or the Code.

## 1.6 Application

- (1) Subject to subclause (2), this local law applies to the parking region.
- (2) This local law does not apply to a parking facility that is not occupied by the local government, unless the local government and the owner or occupier of that facility have agreed in writing that this local law will apply to that facility.
- (3) The agreement referred to in subclause (2) may be made on such terms and conditions as the parties may agree.
- (4) The provisions of Parts 2, 3, and 4 do not apply to a bicycle parked at a bicycle rail or bicycle rack.

## 1.7 Pre-existing signs

- (1) A sign that –
  - (a) was erected by the local government or the Commissioner of Main Roads prior to the coming into operation of this local law; and
  - (b) relates to the parking of vehicles within the parking region,is deemed for the purposes of this local law to have been erected by the local government under the authority of this local law.
- (2) An inscription or symbol on a sign referred to in subclause (1) operates and has effect according to its tenor, and where the inscription or symbol relates to the stopping of vehicles, it is deemed for the purposes of this local law to operate and have effect as if it related to the parking of vehicles.

## 1.8 Classes of vehicles

For the purpose of this local law, vehicles are divided into classes as follows –

- (a) buses;
- (b) commercial vehicles;
- (c) motorcycles and bicycles;
- (d) taxis; and

- (e) all other vehicles.

### **1.9 Part of thoroughfare to which sign applies**

Where under this local law the parking of vehicles in a thoroughfare is controlled by a sign, the sign must be read as applying to that part of the thoroughfare which –

- (a) lies beyond the sign;
- (b) lies between the sign and the next sign beyond that sign; and
- (c) is on that side of the thoroughfare nearest to the sign.

### **1.10 Powers of the local government**

The Council may prohibit or regulate by signs or otherwise, the stopping or parking of any vehicle or any class of vehicles in any part of the parking region but must do so consistently with this local law.

## **PART 2 – PARKING STALLS AND PARKING FACILITIES**

### **2.1 Determination of parking stalls and parking facilities**

- (1) The Council may by resolution constitute, determine and vary –
  - (a) parking stalls;
  - (b) parking facilities;
  - (c) permitted time and conditions of parking in parking stalls and parking facilities which may vary with the locality;
  - (d) permitted classes of vehicles which may park in parking stalls and parking facilities;
  - (e) permitted classes of persons who may park in specified parking stalls or parking facilities; and
  - (f) the manner of parking in parking stalls and parking facilities.
- (2) Where the Council makes a resolution under subclause (1) it will erect signs to give effect to the determination.

### **2.2 Vehicles to be within parking stall on a thoroughfare**

- (1) Subject to subclauses (2), (3) and (4), a person must not park a vehicle in a parking stall in a thoroughfare otherwise than –
  - (a) parallel to and as close to the kerb as is practicable;
  - (b) wholly within the stall; and
  - (c) headed in the direction of the movement of traffic on the side of the thoroughfare in which the stall is situated.
- (2) Subject to subclause (3), where a parking stall in a thoroughfare is set out otherwise than parallel to the kerb, then a person must park a vehicle in that stall wholly within it.
- (3) If a vehicle is too long or too wide to fit completely within a single parking stall then the person parking the vehicle must do so within the minimum number of parking stalls needed to park that vehicle.
- (4) A person must not park a vehicle partly within and partly outside a parking area.

### **2.3 Payment of fee to park in a parking facility**

A person must not park a vehicle or permit a vehicle to remain parked in any parking facility during any period for which a fee is payable unless –

- (a) in the case of a parking facility having an authorised person on duty, the appropriate fee is paid when demanded; or
- (b) in the case of a parking facility equipped with parking meters, the appropriate fee is inserted in the meter or the required payment is made in such other form as may be permitted.

### **2.4 Suspension of parking facility restrictions**

The Council may by resolution declare that the provisions of clause 3.3 do not apply during periods on particular days in relation to particular parking facilities as specified in such resolution.



## **2.5 Vehicle not to be removed until fee paid**

A person must not remove a vehicle which has been parked in a parking facility until the appropriate fee has been paid for the period for which the vehicle has been parked.

## **2.6 Entitlement to receipt**

A person paying a fee at a parking facility is entitled to receive a receipt on demand showing the period of parking covered by such payment.

## **2.7 Parking prohibitions and restrictions**

- (1) A person must not –
  - (a) park a vehicle so as to obstruct an entrance to, or an exit from a parking facility, or an access way within a parking facility;
  - (b) except with the permission of the local government or an authorised person, park a vehicle on any part of a parking facility contrary to a sign referable to that part;
  - (c) permit a vehicle to park on any part of a parking facility, if an authorised person directs the driver of such vehicle to move the vehicle; or
  - (d) park or attempt to park a vehicle in a parking stall in which another vehicle is parked, but this paragraph does not prevent the parking of a motorcycle and a bicycle together in a stall marked ‘M/C’, if the bicycle is parked in accordance with subclause (2).
- (2) A person must not park any bicycle –
  - (a) in a parking stall other than in a stall marked ‘M/C’; and
  - (b) in such stall, other than against the kerb.

# **PART 3 – PARKING GENERALLY**

## **3.1 Restrictions on parking in particular areas**

- (1) A person must not park a vehicle in a thoroughfare or part of a thoroughfare, or part of a parking facility –
  - (a) if by a sign it is set apart for the parking of vehicles of a different class;
  - (b) if by a sign it is set apart for the parking of vehicles by persons of a different class; or
  - (c) during any period when the parking of vehicles is prohibited by a sign.
- (2) A person must not park a vehicle –
  - (a) in a no parking area;
  - (b) in a parking area, except in accordance with both the signs associated with the parking area and with this local law;
  - (c) in a stall marked ‘M/C’ unless it is a motorcycle without a sidecar or a trailer, or it is a bicycle.
- (3) A person must not park a motorcycle without a sidecar or a trailer, or a bicycle in a parking stall not marked ‘M/C’, except where there are no stalls marked ‘M/C’ within 500 metres of the parking stall.
- (4) A person must not, without the prior permission of the local government, the CEO, or an authorised person, park a vehicle in an area designated by a sign stating ‘Authorised Vehicles Only’.

## **3.2 Parking vehicle on a carriageway**

- (1) A person parking a vehicle on a carriageway other than in a parking stall must park it –
  - (a) in the case of a two-way carriageway, so that it is as near as practicable to, and parallel with, the left boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the vehicle is parked;
  - (b) in the case of a one-way carriageway, so that it is as near as practicable to and parallel with either boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the vehicle is parked;

## [Appendix ORD: 12.4.1C] (Proposed Local Law)

- (c) so that at least 3 metres of the width of the carriageway lies between the vehicle and the farther boundary of the carriageway, or any continuous line or median strip, or between the vehicle and a vehicle parked on the farther side of the carriageway;
  - (d) so that the front and the rear of the vehicle respectively is not less than 1 metre from any other vehicle, except a motorcycle without a trailer or a bicycle parked in accordance with this local law; and
  - (e) so that it does not obstruct any vehicle on the carriageway, unless otherwise indicated on a parking regulation sign or markings on the carriageway.
- (2) In this clause continuous dividing line means –
- (a) a single continuous dividing line only;
  - (b) a single continuous dividing line to the left or right of a broken dividing line; or
  - (c) 2 parallel continuous dividing lines.

### 3.3 When parallel and right-angled parking apply

Where a traffic sign associated with a parking area is not inscribed with the words ‘angle parking’, or with an equivalent symbol depicting this purpose, then unless a sign associated with the parking area or marks on the carriageway indicate that vehicles have to park in a different position, then –

- (a) where the parking area is adjacent to the boundary of a carriageway, a person parking a vehicle in the parking area must park it as near as practicable to and parallel with that boundary; and
- (b) where the parking area is at or near the centre of the carriageway, a person parking a vehicle in that parking area must park it at approximately right angles to the centre of the carriageway.

### 3.4 When angle parking applies

- (1) This clause does not apply to –
  - (a) a passenger vehicle or a commercial vehicle with a mass, including any load, of over 3 tonnes; or
  - (b) a person parking either a motor cycle without a trailer or a bicycle.
- (2) Where a sign associated with a parking area is inscribed with the words ‘angle parking’ or with an equivalent symbol depicting this purpose, a person parking a vehicle in the area must park the vehicle at an angle of approximately 45 degrees to the centre of the carriageway unless otherwise indicated by the inscription on the parking sign or by marks on the carriageway.

### 3.5 General prohibitions on parking

- (1) This clause does not apply to a vehicle parked in a parking stall or to a bicycle in a bicycle rack.
- (2) Subclauses (3)(c), (e) and (g) do not apply to a vehicle which parks in a bus embayment.
- (3) Subject to any law relating to intersections with traffic control signals, a person must not park a vehicle so that any portion of the vehicle is –
  - (a) between any other stationary vehicles and the centre of the carriageway;
  - (b) on or adjacent to a median strip;
  - (c) obstructing a right of way, private driveway or carriageway or so close as to deny a vehicle reasonable access to or egress from the right of way, private driveway or carriageway;
  - (d) alongside or opposite any excavation, works, hoarding, scaffolding or obstruction on the carriageway, if the vehicle would obstruct traffic;
  - (e) on or within 10 metres of any portion of a carriageway bounded by a traffic island;
  - (f) on any footpath or pedestrian crossing;
  - (g) between the boundaries of a carriageway and any double longitudinal line consisting of 2 continuous lines or between a double longitudinal line consisting of a continuous line and a broken or dotted line and the boundary of a carriageway nearer to the continuous line, unless there is a distance of at least 3 metres clear between the vehicle and the double longitudinal line;
  - (h) on an intersection, except adjacent to a carriageway boundary that is not broken by an intersecting carriageway;
  - (i) within 1 metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug;



## **[Appendix ORD: 12.4.1C]** ***(Proposed Local Law)***

- (j) within 3 metres of a public letter pillar box located on a thoroughfare, unless the vehicle is being used for the purposes of collecting postal articles from the pillar box; or
  - (k) within 10 metres of the nearer property line of any thoroughfare intersecting the thoroughfare on the side on which the vehicle is parked, unless a sign or markings on the carriageway indicate otherwise.
- (4) A person must not park a vehicle so that any portion of the vehicle is within 10 metres of the departure side of –
- (a) a sign inscribed with the words ‘Bus Stop’ or ‘Hail Bus Here’, or with equivalent symbols depicting these purposes, unless the vehicle is a bus stopped to take up or set down passengers; or
  - (b) a children’s crossing or pedestrian crossing.
- (5) A person must not park a vehicle so that any portion of the vehicle is within 20 metres of the approach side of –
- (a) a sign inscribed with the words ‘Bus Stop’ or ‘Hail Bus Here’, or with equivalent symbols depicting these purposes, unless the vehicle is a bus stopped to take up or set down passengers; or
  - (b) a children’s crossing or pedestrian crossing.
- (6) A person must not park a vehicle so that any portion of the vehicle is within 20 metres of either the approach side or the departure side of the nearest rail of a railway level crossing.
- (7) A person shall not park on a verge unless that portion of the verge has been approved in writing by the local government as a parking area.
- (8) Subclause (7) does not apply to a verge adjacent to a premises zoned industry, light and service industry or residential under the local planning scheme if the person is the owner or occupier of the premises adjacent to that portion of the verge, or is a person authorised by the occupier to park on that portion of the verge.

### **3.6 Authorised person may order vehicle on thoroughfare to be moved**

The driver of a vehicle must not park that vehicle on any part of a thoroughfare in contravention of this local law after an authorised person has directed the driver to move it.

### **3.7 Authorised person may mark the tyres of a vehicle**

- (1) An authorised person may mark the tyres of a vehicle parked in a parking stall or parking facility with chalk or any other non-indelible substance for a purpose connected with or arising out of his or her duties or powers.
- (2) A person must not remove a mark made by an authorised person so that the purpose of the affixing of such a mark is defeated or likely to be defeated.

### **3.8 No movement of vehicles to avoid time limitation**

- (1) Where the parking of vehicles in a parking facility is permitted for a limited time, a person must not move a vehicle within the parking facility so that the total time of parking exceeds the maximum time allowed for parking in the parking facility.
- (2) Where the parking of vehicles in a thoroughfare is permitted for a limited time, a person must not move a vehicle along that thoroughfare so that the total time of parking exceeds the maximum time permitted, unless the vehicle has first been removed from the thoroughfare for at least 2 hours.

### **3.9 No parking of vehicles exposed for sale and in other circumstances**

A person must not park a vehicle on any portion of a thoroughfare –

- (a) for the purpose of exposing it for sale;
- (b) if that vehicle is not licensed under the Road Traffic Act;
- (c) if that vehicle is a trailer or a caravan unattached to a motor vehicle; or
- (d) for the purpose of effecting repairs to it, other than the minimum repairs necessary to enable the vehicle to be moved to a place other than a thoroughfare.

### **3.10 Parking on private land**

- (1) In this clause a reference to 'land' does not include land –
  - (a) which is local government property;
  - (b) which is the subject of an agreement referred to in subclause 1.6(2); or
  - (c) which is identified in a Schedule.
- (2) A person must not park a vehicle on land without the consent of the owner or occupier of the land on which the vehicle is parked.
- (3) Where the owner or occupier of the land, by a sign referable to that land or otherwise, consents to the parking of vehicles of a specified class or classes on the land for a limited period, a person must not park a vehicle on the land otherwise than in accordance with the consent.

### **3.11 Parking on local government property**

No person other than an employee of the local government in the course of his or her duties or a person authorised by the local government shall drive or park a vehicle upon or over any portion of a local government property other than upon an area specifically set aside for that purpose.

### **3.12 Suspension of parking limitations for urgent, essential or official duties**

- (1) Where, by a sign, the parking of vehicles is permitted for a limited time on a portion of a thoroughfare or parking facility, the local government, the CEO or an authorised person may permit a person to park a vehicle in that portion of the thoroughfare or parking facility for longer than the permitted time in order that the person may carry out urgent, essential or official duties.
- (2) Where permission is granted under subclause (1), the local government, the CEO or an authorised person may prohibit the use by any other vehicle of that portion of the thoroughfare or parking facility to which the permission relates, for the duration of that permission.

## **PART 4 – PARKING AND STOPPING GENERALLY**

### **4.1 No stopping and no parking signs, and yellow edge lines**

- (1) A driver shall not stop on a length of carriageway, or in an area, to which a no stopping sign applies.
- (2) A driver must not stop on a length of carriageway or in an area to which a no parking sign applies, unless the driver –
  - (a) is dropping off, or picking up, passengers or goods;
  - (b) does not leave the vehicle unattended; and
  - (c) completes the dropping off, or picking up, of the passengers or goods within 2 minutes of stopping and drives on.
- (3) A driver must not stop at the side of a carriageway marked with a continuous yellow edge line.
- (4) In this clause a driver leaves the vehicle unattended if the driver leaves the vehicle so the driver is over 3 metres from the closest point of the vehicle.

## **PART 5 – STOPPING IN ZONES FOR PARTICULAR VEHICLES**

### **5.1 Stopping in a loading zone**

A person must not stop a vehicle in a loading zone unless it is –

- (a) a motor vehicle used for commercial or trade purposes engaged in the picking up or setting down of goods; or
- (b) a motor vehicle taking up or setting down passengers, but, in any event, must not remain in that loading zone –
  - (c) for longer than a time indicated on the sign designating the loading zone; or
  - (d) longer than 30 minutes if no time is indicated on the sign.

## **5.2 Stopping in a taxi zone or a bus zone**

- (1) A driver must not stop in a taxi zone, unless the driver is driving a taxi.
- (2) A driver must not stop in a bus zone, unless the driver is driving a public bus, or a bus of a type that is permitted to stop at the bus zone by information on or with the 'bus zone' sign applying to the bus zone.

## **5.3 Stopping in a mail zone**

A person must not stop a vehicle in a mail zone.

## **5.4 Other limitations in zones**

A person must not stop a vehicle in a zone to which a traffic sign applies if stopping the vehicle would be contrary to any limitation in respect to classes of persons or vehicles, or specific activities allowed, as indicated by additional words on a traffic sign that applies to the zone.

# **PART 6 – OTHER PLACES WHERE STOPPING IS RESTRICTED**

## **6.1 Stopping in a shared zone**

A driver must not stop in a shared zone unless –

- (a) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law;
- (b) the driver stops in a parking stall and the driver is permitted to stop in the parking stall under this local law;
- (c) the driver is dropping off, or picking up, passengers or goods; or
- (d) the driver is engaged in door-to-door delivery or collection of goods, or in the collection of waste or garbage.

## **6.2 Double parking**

- (1) A driver must not stop a vehicle so that any portion of the vehicle is between any other stopped vehicle and the centre of the carriageway.
- (2) This clause does not apply to –
  - (a) a driver stopped in traffic; or
  - (b) a driver angle parking on the side of the carriageway or in a median strip parking area, in accordance with this local law.

## **6.3 Stopping near an obstruction**

A driver must not stop on a carriageway near an obstruction on the carriageway in a position that further obstructs traffic on the carriageway.

## **6.4 Stopping on a bridge or in a tunnel, etc.**

- (1) A driver must not stop a vehicle on a bridge, causeway, ramp or similar structure unless –
  - (a) the carriageway is at least as wide on the structure as it is on each of the approaches and a traffic sign does not prohibit stopping or parking; or
  - (b) the driver stops at a place on a length of carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law.
- (2) A driver must not stop a vehicle in a tunnel or underpass unless –
  - (a) the carriageway is at least as wide in the tunnel or underpass as it is on each of the approaches and a traffic sign does not prohibit stopping or parking; or
  - (b) the driver of a motor vehicle stops at a bus stop, or in a bus zone or parking area marked on the carriageway, for the purpose of setting down or taking up passengers.

#### **6.5 Stopping on crests, curves, etc.**

- (1) Subject to subclause (2), a driver must not stop a vehicle on, or partly on, a carriageway in any position where it is not visible to the driver of an overtaking vehicle from a distance of 50 metres within a built-up area and from a distance of 150 metres outside a built-up area.
- (2) A driver may stop on a crest or curve on a carriageway that is not in a built-up area if the driver stops at a place on the carriageway, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under this local law.

#### **6.6 Stopping near a fire hydrant etc.**

- (1) A driver must not stop a vehicle so that any portion of the vehicle is within 1 metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug, unless –
  - (a) the driver is driving a public bus, and the driver stops in a bus zone or at a bus stop and does not leave the bus unattended; or
  - (b) the driver is driving a taxi, and the driver stops in a taxi zone and does not leave the taxi unattended.
- (2) In this clause a driver leaves the vehicle unattended if the driver leaves the vehicle so the driver is over 3 metres from the closest point of the vehicle.

#### **6.7 Stopping at or near a bus stop**

- (1) A driver must not stop a vehicle so that any portion of the vehicle is within 20 metres of the approach side of a bus stop, or within 10 metres of the departure side of a bus stop, unless –
  - (a) the vehicle is a public bus stopped to take up or set down passengers; or
  - (b) the driver stops at a place on a length of carriageway or in an area to which a parking control sign applies and the driver is permitted to stop at that place under this local law.
- (2) In this clause –
  - (a) distances are measured in the direction in which the driver is driving; and
  - (b) a trailer attached to a public bus is deemed to be a part of the public bus.

#### **6.8 Stopping on a path, median strip, or traffic island**

The driver of a vehicle (other than a bicycle or an animal) must not stop so that any portion of the vehicle is on a footpath, traffic island or median strip, unless the driver stops in an area to which a parking control sign applies and the driver is permitted to stop at that place under this local law.

#### **6.9 Stopping on verge**

- (1) A person must not –
  - (a) stop a vehicle other than a bicycle;
  - (b) stop a commercial vehicle or bus, or a trailer or caravan unattached to a motor vehicle; or
  - (c) stop a vehicle during any period when the stopping of vehicles on that verge is prohibited by a sign adjacent and referable to that verge, so that any portion of it is on a verge.
- (2) Subclause (1)(a) does not apply to the person if he or she is the owner or occupier of the premises adjacent to that verge, or is a person authorised by the occupier of those premises to stop the vehicle so that any portion of it is on the verge.
- (3) Subclause (1)(b) does not apply to a commercial vehicle when it is being loaded or unloaded with reasonable expedition with goods, merchandise or materials collected from or delivered to the premises adjacent to the portion of the verge on which the commercial vehicle is parked, provided no obstruction is caused to the passage of any vehicle or person using a carriageway or a footpath.

#### **6.10 Obstructing access to and from a footpath, driveway, etc.**

- (1) A driver must not stop a vehicle so that any portion of the vehicle is in front of a footpath or in a position that obstructs access by vehicles or pedestrians to or from that footpath, unless –
  - (a) the driver is dropping off, or picking up, passengers; or
  - (b) the driver stops in a parking stall and the driver is permitted to stop in the parking stall under this local law.

## **[Appendix ORD: 12.4.1C]** ***(Proposed Local Law)***

- (2) A driver must not stop a vehicle on or across a driveway or other way of access for vehicles travelling to or from adjacent land, unless –
- (a) the driver is dropping off, or picking up, passengers; or
  - (b) the driver stops in a parking stall and the driver is permitted to stop in the parking stall under this local law.

### **6.11 Stopping near a letter box**

A driver must not stop a vehicle so that any portion of the vehicle is within 3 metres of a public letter pillar box, unless the driver –

- (a) is dropping off, or picking up, passengers or mail; or
- (b) stops at a place on a length of carriageway or in an area to which a parking control sign applies and the driver is permitted to stop at that place under this local law.

### **6.12 Stopping on a carriageway – heavy and long vehicles**

- (1) A person must not park a vehicle or any combination of vehicles that, together with any projection on, or load carried by, the vehicle or combination of vehicles, is 7.5 metres or more in length or exceeds a GVM of 4.5 tonnes –

- (a) on a carriageway in a built-up area for any period exceeding 1 hour, unless engaged in the picking up or setting down of goods; or
- (b) on a carriageway outside a built-up area, except on the shoulder of the carriageway or in a truck bay or other area set aside for the parking of goods vehicles.

- (2) Nothing in this clause affects or overrides the limitations or conditions imposed by any other clause in this local law, or by any other local law or traffic sign relating to the parking or stopping of vehicles.

### **6.13 Stopping on a carriageway with a bicycle parking sign**

The driver of a vehicle, other than a bicycle, must not stop on a length of carriageway to which a ‘bicycle parking’ sign applies, unless the driver is dropping off or picking up passengers.

### **6.14 Stopping on a carriageway with motor cycle parking sign**

The driver of a vehicle must not stop on a length of carriageway or in an area to which a ‘motor cycle parking’ sign applies, or an area marked ‘M/C’ unless –

- (a) the vehicle is a motor cycle; or
- (b) the driver is dropping off, or picking up, passengers.

## **PART 7 – MISCELLANEOUS**

### **7.1 Removal of notices on vehicle**

A person, other than the driver of the vehicle or a person acting under the direction of the driver of the vehicle, must not remove from the vehicle any notice put on the vehicle by an authorised person.

### **7.2 Unauthorised signs and defacing of signs**

A person must not, without the authority of the local government –

- (a) mark, set up or exhibit a sign purporting to be or resembling a sign marked, set up or exhibited by the local government under this local law;
- (b) remove, deface or misuse a sign or property, set up or exhibited by the local government under this local law, or attempt to do any such act; or
- (c) affix a board, sign, placard, notice or other thing to or paint or write upon any part of a sign set up or exhibited by the local government under this local law.

### **7.3 Signs must be complied with**

An inscription or symbol on a sign operates and has effect according to its tenor and a person contravening the direction on a sign commits an offence under this local law.

### **7.4 General provisions about signs**

- (1) A sign marked, erected, set up, established or displayed on or near a thoroughfare is, in the absence of evidence to the contrary, presumed to be a sign marked, erected, set up, established or displayed under the authority of this local law.
- (2) The first 3 letters of any day of the week when used on a sign indicate that day of the week.

### **7.5 Special purpose and emergency vehicles**

Notwithstanding anything to the contrary in this local law, the driver of –

- (a) a special purpose vehicle may, only in the course of his or her duties and when it is expedient and safe to do so, stop or park the vehicle in any place, at any time; and
- (b) an emergency vehicle may, in the course of his or her duties and when it is expedient and safe to do so or where he or she honestly and reasonably believes that it is expedient and safe to do so, stop or park the vehicle at any place, at any time.

### **7.6 Vehicles not to obstruct a public place**

- (1) A person must not leave a vehicle, or any part of a vehicle, in a public place so that it obstructs the use of any part of that public place without the permission of the local government or unless authorised under any written law.
- (2) A person will not contravene subclause (1) where the vehicle is left for a period not exceeding 24 hours.

### **7.7 Hindrance of an authorised person**

A person shall not in any way obstruct or hinder an authorised person in the execution of his or her duties.

## **PART 8 - PENALTIES**

### **8.1 Offences and penalties**

- (1) A person who breaches a provision of this local law commits an offence.
- (2) An offence against any provision of this local law is a prescribed offence for the purposes of section 9.16(1) of the Act.
- (3) Any person who commits an offence under this local law will be liable, upon conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.
- (4) The amount appearing in the final column of Schedule 2 directly opposite a clause specified in that Schedule is the modified penalty for an offence against that clause.

### **8.2 Form of notices**

For the purposes of this local law –

- (a) the form of the notice referred to in section 9.13 of the Act is Form 1 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*;
  - (b) the form of the infringement notice referred to in section 9.17 of the Act is Form 2 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; and
  - (c) the form of the infringement withdrawal notice referred to in section 9.20 of the Act is Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.
-



# **[Appendix ORD: 12.4.1C]**

***(Proposed Local Law)***

## **SCHEDULE 1 – PARKING REGION**

[cl 1.6(1)]

The parking region is the whole of the district, but excludes the following portions of the district –

- (1) the approach and departure prohibition areas of all existing and future traffic control signal installations as determined by the Commissioner of Main Roads;
- (2) prohibition areas applicable to all existing and future bridges and subways as determined by the Commissioner of Main Roads; and
- (3) any road which comes under the control of the Commissioner of Main Roads, unless the control of parking and parking facilities on that road is carried out subject to the control and direction of the Commissioner of Main Roads, or has been delegated by the Commissioner to the local government.

## **SCHEDULE 2 – PRESCRIBED OFFENCES**

[cl 8.1(4)]

### **OFFENCES AND MODIFIED PENALTIES**

<b>ITEM NO.</b>	<b>CLAUSE NO.</b>	<b>NATURE OF OFFENCE</b>	<b>MODIFIED PENALTY \$</b>
1	2.2(1)	Failure to park wholly within parking stall	60
2	2.2(4)	Failure to park wholly within parking area	60
3	2.7(1)(a)	Causing obstruction in a parking facility	60
4	2.7(1)(b)	Parking contrary to sign in a parking facility	60
5	2.7(1)(c)	Parking contrary to directions of authorised person	100
6	2.7(1)(d)	Parking or attempting to park a vehicle in a parking stall occupied by another vehicle	60
7	3.1(1)(a)	Parking wrong class of vehicle	60
8	3.1(1)(b)	Parking by persons of a different class	60
9	3.1(1)(c)	Parking during prohibited period	60
10	3.1(2)(a)	Parking in no parking area	60
11	3.1(2)(b)	Parking contrary to signs or limitations	60
12	3.1(2)(c)	Parking vehicle in motor cycle only area	60
13	3.1(3)	Parking motor cycle in stall not marked 'M/C'	60
14	3.1(4)	Parking without permission in an area designated with a sign 'Authorised Vehicles Only'	60
15	3.2(1)(a)	Failure to park on the left of two-way carriageway	60
16	3.2(1)(a)	Parking against the flow of traffic	100

**[Appendix ORD: 12.4.1C]**  
*(Proposed Local Law)*

ITEM NO.	CLAUSE NO.	NATURE OF OFFENCE	MODIFIED PENALTY \$
17	3.2(1)(b)	Failure to park on boundary of one-way carriageway	60
18	3.2(1)(c)	Parking when distance from farther boundary less than 3 metres	60
19	3.2(1)(d)	Parking closer than 1 metre from another vehicle	60
20	3.2(1)(e)	Causing obstruction	100
21	3.3(b)	Failure to park at approximate right angle	60
22	3.4(2)	Failure to park at an appropriate angle	60
23	3.5(3)(a) and 6.2	Double parking	100
24	3.5(3)(b)	Parking on or adjacent to a median strip	100
25	3.5(3)(c)	Denying access to private drive or right of way	100
26	3.5(3)(d)	Parking beside excavation or obstruction so as to obstruct traffic	100
27	3.5(3)(e)	Parking within 10 metres of traffic island	60
28	3.5(3)(f)	Parking on footpath/pedestrian crossing	100
29	3.5(3)(g)	Parking contrary to continuous line markings	100
30	3.5(3)(h)	Parking on intersection	100
31	3.5(3)(i)	Parking within 1 metre of fire hydrant or fire plug	100
32	3.5(3)(j)	Parking within 3 metres of public letter box	60
33	3.5(3)(k)	Parking within 10 metres of intersection	100
34	3.5(4)	Parking vehicle within 10 metres of departure side of bus stop, children's crossing or pedestrian crossing	100
35	3.5(5)	Parking vehicle within 20 metres of approach side of bus stop, children's crossing or pedestrian crossing	60
36	3.5(6)	Parking vehicle within 20 metres of approach side or departure side of railway level crossing	100
37	3.5(7)	Parking on a verge that is not an approved parking area	60
38	3.6	Parking contrary to direction of authorised person	100
39	3.7(2)	Removing mark of authorised person	100
40	3.8	Moving vehicle to avoid time limitation	100
41	3.9(a)	Parking in thoroughfare for purpose of sale	60
42	3.9(b)	Parking unlicensed vehicle in thoroughfare	60
43	3.9(c)	Parking a trailer/caravan on a thoroughfare	60



**[Appendix ORD: 12.4.1C]**  
*(Proposed Local Law)*

ITEM NO.	CLAUSE NO.	NATURE OF OFFENCE	MODIFIED PENALTY \$
44	3.9(d)	Parking in thoroughfare for purpose of repairs	60
45	3.10(2)	Parking on land that is not a parking facility without consent	100
46	3.10(3)	Parking on land not in accordance with consent	100
47	3.11	Driving or parking on local government property	100
48	4.1(1)	Stopping contrary to a no stopping sign	100
49	4.1(2)	Parking contrary to a no parking sign	100
50	4.1(3)	Stopping within continuous yellow lines	60
51	5.1	Stopping unlawfully in a loading zone	60
52	5.2	Stopping unlawfully in a taxi zone or bus zone	100
53	5.3	Stopping unlawfully in a mail zone	100
54	5.4	Stopping in a zone contrary to a sign	100
55	6.1	Stopping in a shared zone	60
56	6.3	Stopping near an obstruction	60
57	6.4	Stopping on a bridge or tunnel	100
58	6.5	Stopping on crests/curves etc	100
59	6.6	Stopping near fire hydrant	100
60	6.7	Stopping near bus stop	60
61	6.8	Stopping on path, median strip or traffic island	100
62	6.9	Stopping on verge	100
63	6.10	Obstructing path, a driveway etc	100
64	6.11	Stopping near letter box	100
65	6.12	Stopping heavy or long vehicles on carriageway	60
66	6.13	Stopping in bicycle parking area	60
67	6.14	Stopping in motorcycle parking area	60
68	7.6	Leaving vehicle so as to obstruct a public place	100
69	7.7	Hindrance to an authorised officer	200
70	8.1(1)	All other offences not specified	100

**[Appendix ORD: 12.4.1C]**  
*(Proposed Local Law)*

---

Dated *[insert date]*

The Common Seal of the Shire of Dardanup was affixed under the authority of a resolution of Council in the presence of –

---

CR. MICHAEL THEODORE BENNETT, Shire President

---

MR ANDRIES STEFAN SCHÖNFELDT, Chief Executive Officer

**RISK ASSESSMENT TOOL**

**OVERALL RISK EVENT:** Schedule of Paid Accounts as at the 31<sup>st</sup> of July 2022

**RISK THEME PROFILE:**

3 - Failure to Fulfil Compliance Requirements (Statutory, Regulatory)

6 - Engagement Practices

**RISK ASSESSMENT CONTEXT:** Operational

CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL		
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD	RESIDUAL RISK RATING
HEALTH	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
FINANCIAL IMPACT	Not monitoring ongoing financial performance would increase the risk of a negative impact on the financial position.	Moderate (3)	Unlikely (2)	Moderate (5 - 11)	Not required.	Not required.	Not required.	Not required.
SERVICE INTERRUPTION	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
LEGAL AND COMPLIANCE	Non-compliance with the legislative requirements that results in a qualified audit.	Minor (2)	Unlikely (2)	Low (1 - 4)	Not required.	Not required.	Not required.	Not required.
REPUTATIONAL	Non-compliance that results in a qualified audit can lead stakeholders to question the Council's ability to manage finances effectively.	Insignificant (1)	Unlikely (2)	Low (1 - 4)	Not required.	Not required.	Not required.	Not required.
ENVIRONMENT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.

**RISK ASSESSMENT TOOL**

**OVERALL RISK EVENT:** Monthly Statement of Financial Activity for the Period Ended on the 31<sup>st</sup> of July 2022

**RISK THEME PROFILE:**

3 - Failure to Fulfil Compliance Requirements (Statutory, Regulatory)

**RISK ASSESSMENT CONTEXT:** Operational

CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL		
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD	RESIDUAL RISK RATING
HEALTH	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
FINANCIAL IMPACT	Not monitoring ongoing financial performance would increase the risk of a negative impact on the financial position.	Moderate (3)	Unlikely (2)	Moderate (5 - 11)	Not required.	Not required.	Not required.	Not required.
SERVICE INTERRUPTION	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.
LEGAL AND COMPLIANCE	Non-compliance with the legislative requirements that results in a qualified audit.	Minor (2)	Unlikely (2)	Low (1 - 4)	Not required.	Not required.	Not required.	Not required.
REPUTATIONAL	Non-compliance that results in a qualified audit can lead stakeholders to question the Council's ability to manage finances effectively.	Insignificant (1)	Unlikely (2)	Low (1 - 4)	Not required.	Not required.	Not required.	Not required.
ENVIRONMENT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.



## Monthly Financial Report

### For the Period

1 July 2022 to 31 July 2022

#### TABLE OF CONTENTS

	Page
Information Summary Graphs	2
Statement of Financial Activity by Program	3
Net Current Assets	4
Statement of Comprehensive Income by Program	5
Note 1 Statement of Objectives, Programs and Activities	6
Note 2 Explanation of Material Variances in the Statement of Financial Activity	7
Note 3 Trust Fund	9
Note 4 Reserve Accounts	10
Note 5 Municipal Liabilities	10
Note 6 Statement of Investments	11
Note 7 Accounts Receivable - Rates and Sundry Debtors	13
Note 8 Salaries and Wages	13
Note 9 Rating Information	14
Note 10 Information on Borrowings	15
Note 11 Budget Amendments	16

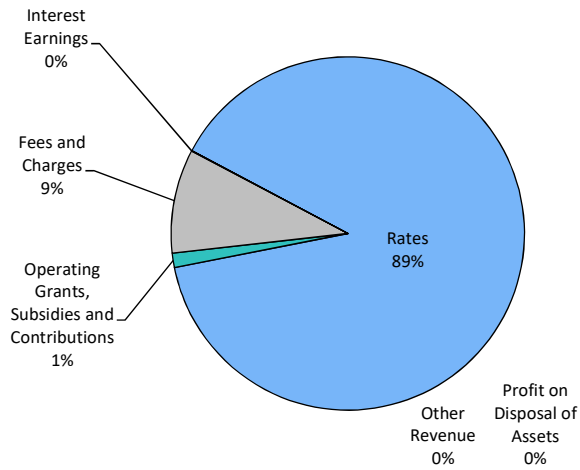
# [Appendix ORD: 12.4.3B]



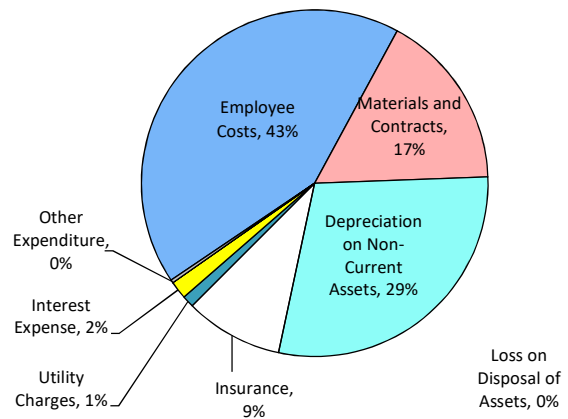
## Monthly Financial Report For the Period Ended 31 July 2022

### SUMMARY GRAPHS

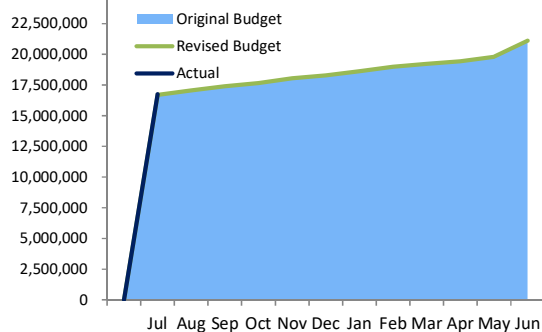
#### OPERATING REVENUE - ACTUAL YTD



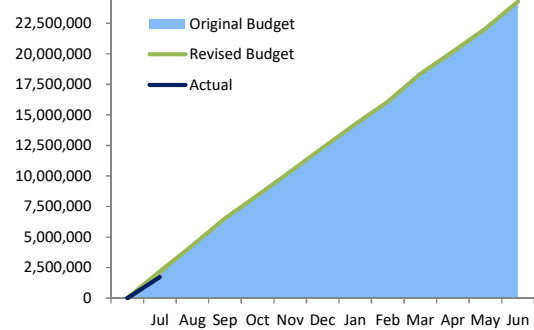
#### OPERATING EXPENSES - ACTUAL YTD



#### Total Operating Revenue - Budget - v Actual (excludes profit on disposal of assets)



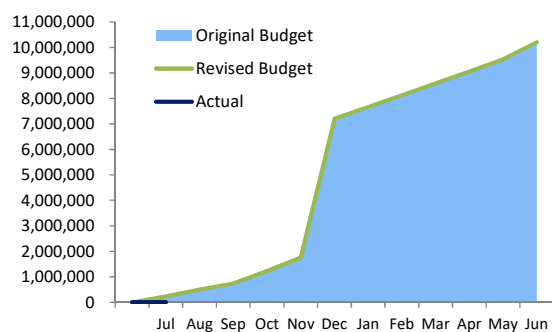
#### Total Operating Expenses - Budget - v Actual (excludes loss on disposal of assets)



#### CAPITAL REVENUE

(Non-operating grants, subsidies and contributions; sale of assets)

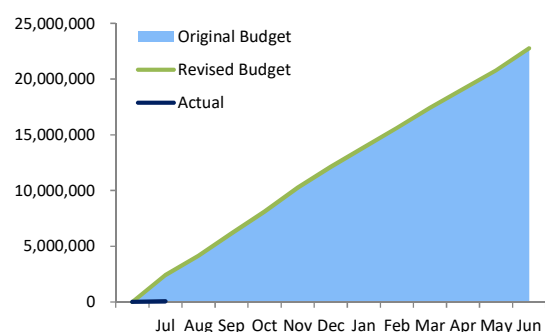
#### Capital Revenue - Budget - v Actual



#### CAPITAL EXPENSES

(Acquisition of assets)

#### Capital Expenses - Budget - v Actual



This information is to be read in conjunction with the accompanying Financial Statements and Notes

# [Appendix ORD: 12.4.3B]



## Statement of Financial Activity by Nature and Type For the Period Ended 31 July 2022 (Covering 1 month or 8.5% of the year)

	2022/23 Adopted Budget \$	2022/23 Revised Budget \$	2022/23 Y-T-D Revised Budget \$	2022/23 Y-T-D Actual \$	Variance Y-T-D		2022/23 Forecast \$	2021/22 Last Year Actual \$
					Actual to Revised Budget \$	Actual to Revised Budget %		
<b>OPERATING ACTIVITIES</b>								
<b>Operating revenue</b>								
Rates	15,021,963	15,021,963	14,935,328	14,926,990	(8,338)	(0.1%)	15,021,963	14,307,487
Operating grants, subsidies & contributions	2,457,135	2,457,135	196,379	219,523	23,144	11.8%	2,457,135	3,379,368
Fees and charges	3,331,234	3,331,234	1,549,806	1,589,878	40,072	2.6%	3,331,234	3,234,825
Interest earnings	269,350	269,350	13,927	8,729	(5,198)	(37.3%)	269,350	197,460
Other revenue	29,226	29,226	0	0	0	0.0%	29,226	28,653
Profit on asset disposal	2,942,186	2,942,186	161	0	(161)	(100.0%)	2,942,186	0
<b>Total Operating Revenue</b>	<b>24,051,094</b>	<b>24,051,094</b>	<b>16,695,601</b>	<b>16,745,120</b>	<b>49,519</b>	<b>0.3%</b>	<b>24,051,094</b>	<b>21,147,793</b>
<b>Operating expenses</b>								
Employee costs	(11,453,887)	(11,453,887)	(919,701)	(733,929)	185,772	20.2%	(11,453,887)	(10,762,584)
Materials and contracts	(5,279,133)	(5,269,133)	(497,563)	(286,324)	211,239	42.5%	(5,269,133)	(6,504,882)
Utility charges	(571,758)	(571,758)	(47,626)	(19,181)	28,445	59.7%	(571,758)	(563,170)
Depreciation on non-current assets	(6,017,969)	(6,017,969)	(501,489)	(501,497)	(8)	(0.0%)	(6,017,969)	(5,635,083)
Interest expenses	(204,976)	(204,976)	(38,041)	(28,850)	9,191	24.2%	(204,976)	(120,450)
Insurance expenses	(339,527)	(339,527)	(152,464)	(158,641)	(6,177)	0.0%	(339,527)	(324,142)
Other expenses	(392,196)	(402,196)	(19,892)	4,918	24,810	124.7%	(402,196)	(465,954)
Loss on asset disposals	0	0	0	0	0	0.0%	0	(10,534)
<b>Total operating expenditure</b>	<b>(24,259,447)</b>	<b>(24,259,447)</b>	<b>(2,176,776)</b>	<b>(1,723,505)</b>	<b>453,271</b>	<b>20.8%</b>	<b>(24,259,447)</b>	<b>(24,386,799)</b>
<b>Adjustments of non cash items</b>								
(Profit)/Loss on Asset Disposals	(2,942,186)	(2,942,186)	(161)	0	161	100.0%	(2,942,186)	10,534
Accruals	0	0	0	0	0	0.0%	0	0
Movement in non-current assets and liabilities	0	0	0	0	0	0.0%	0	17,550
Movement in contract liabilities associated with restricted cash	0	0	0	0	0	0.0%	0	1,988
Depreciation on Assets	6,017,969	6,017,969	501,489	501,497	8	0.0%	6,017,969	5,635,083
Non-cash amounts excluded from operating activities	3,075,783	3,075,783	501,328	501,497	169	0.0%	3,075,784	5,665,155
<b>Adjusted net operating activities</b>	<b>2,867,430</b>	<b>2,867,430</b>	<b>15,020,153</b>	<b>15,523,113</b>	<b>502,960</b>	<b>(3.3%)</b>	<b>2,867,431</b>	<b>2,426,150</b>
<b>INVESTING ACTIVITIES</b>								
Non-operating grants, subsidies & contributions	5,179,259	5,179,259	231,950	2,520	(229,430)	(98.9%)	5,179,259	7,933,207
Proceeds from disposal of assets	5,025,000	5,025,000	0	0	0	0.0%	5,025,000	266,469
Payments for land and buildings	(17,314,573)	(17,314,573)	(1,349,452)	(19,115)	1,330,337	98.6%	(17,314,573)	(7,402,307)
Payments for transport infrastructure	(4,217,150)	(4,342,150)	(885,682)	(28,891)	856,791	96.7%	(4,342,150)	(4,759,826)
Payments for parks and reserves infrastructure	(845,258)	(845,258)	(155,321)	(6,347)	148,974	95.9%	(845,258)	(1,246,323)
Payments for motor vehicles	(80,000)	(80,000)	0	0	0	0.0%	(80,000)	(947,581)
Payments for plant & equipment	0	0	0	0	0	0.0%	0	(399,000)
Payments for furniture & fittings	(168,382)	(168,382)	(14,030)	0	14,030	100.0%	(168,382)	(74,747)
<b>Amount attributable to investing activities</b>	<b>(12,421,104)</b>	<b>(12,546,104)</b>	<b>(2,172,535)</b>	<b>(51,834)</b>	<b>2,120,701</b>	<b>97.6%</b>	<b>(12,546,104)</b>	<b>(6,630,108)</b>
<b>Non-cash amounts excluded from investing activities</b>								
Movement in non-current developer contributions	0	0	0	0	0	0.0%	0	(580,890)
Movement in non-current other provisions	0	0	0	0	0	0.0%	0	35,252
Movement in non-operating grants and contributions associated with restricted cash	0	0	0	0	0	0.0%	0	(1,674,242)
<b>Net amount attributable to investing activities</b>	<b>(12,421,104)</b>	<b>(12,546,104)</b>	<b>(2,172,535)</b>	<b>(51,834)</b>	<b>2,120,701</b>	<b>97.6%</b>	<b>(12,546,104)</b>	<b>(8,849,987)</b>
<b>FINANCING ACTIVITIES</b>								
Proceeds from new debentures	7,000,000	7,000,000	0	0	0	0.0%	7,000,000	320,000
Transfers from reserves	13,715,412	13,840,412	1,797,465	1,172,750	(624,715)	(34.8%)	13,840,412	14,188,986
Repayment of debentures	(529,714)	(529,714)	(76,832)	(74,929)	1,903	2.5%	(529,714)	(328,172)
Principal portion of lease liabilities	(238,834)	(238,834)	(52,820)	(29,634)	23,186	43.9%	(238,834)	(305,270)
Transfers to reserves	(10,440,476)	(10,440,476)	0	(14,695)	(14,695)	(100.0%)	(10,440,476)	(8,228,446)
<b>Amount attributable to financing activities</b>	<b>9,506,389</b>	<b>9,631,389</b>	<b>1,667,813</b>	<b>1,053,492</b>	<b>(614,321)</b>	<b>36.8%</b>	<b>9,631,389</b>	<b>5,647,098</b>
<b>FUNDING SOURCES</b>								
Surplus/(Deficit) July 1 B/Fwd	184,453	184,453	184,453	184,453	0	0.0%	184,453	961,190
<b>CLOSING FUNDS (A+B+C+D)</b>	<b>137,168</b>	<b>137,168</b>	<b>14,699,884</b>	<b>16,709,224</b>	<b>2,009,340</b>	<b>(13.7%)</b>	<b>137,169</b>	<b>184,453</b>

### KEY INFORMATION

▲ ▼ Indicates a significant variance between Year-to-Date (YTD) Revised Budget and YTD Actual data as per the adopted materiality threshold.

▲ indicates a positive impact on the surplus/deficit position. ▼ indicates a negative impact on the surplus/deficit position.

Refer to Note 2 for an explanation of the reasons for the variance.

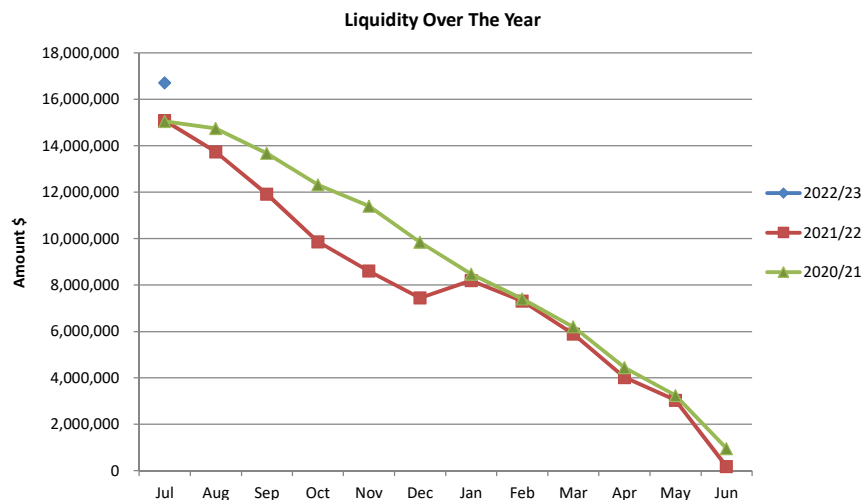
This statement to be read in conjunction with the accompanying Financial Statements and Notes

# [Appendix ORD: 12.4.3B]



## Statement of Financial Activity by Nature and Type For the Period Ended 31 July 2022 NET CURRENT ASSETS

Note	Year to Date Actual 31-Jul-2022 \$	Same Time Last Year Actual 31-Jul-2021	Last Year Closing 30-Jun-2022 \$
Represented By:			
<b>CURRENT ASSETS</b>			
Cash and Cash Equivalents	20,145,981	24,017,253	22,299,319
Rates Debtors Outstanding	16,688,062	15,655,493	483,901
Pensioner Rates Rebate	797	10,811	19,104
Sundry Debtors	341,788	436,501	394,024
Accrued Revenue	92,799	55,015	100,236
Prepaid Expenses	0	0	0
Goods & Services Tax / BAS Refund	409,366	417,323	378,414
Other Receivables	(55)	143	0
Inventories - Materials	6,318	6,318	6,318
Inventories- Trading Stock - Recreation Centre	5,842	5,842	5,842
<b>Current Assets</b>	<b>37,690,897</b>	<b>40,604,699</b>	<b>23,687,158</b>
<b>LESS CURRENT LIABILITIES</b>			
Payables:			
Sundry Creditors	0	(69)	(1,149,276)
Goods & Services Tax / BAS Payable	0	0	0
Other Payables	(687,294)	(751,004)	(11,040)
Municipal Bonded Liabilities	5 (582,938)	(652,668)	(580,208)
Contract Liabilities	(1,533,005)	(3,871,585)	(1,618,928)
Prepaid Revenue - Rates / PPL	(101,395)	(95,207)	(885,616)
Accrued Interest on Debentures	(30,331)	(30,331)	(30,331)
Accrued Salaries & Wages	0	0	(171,847)
Other Accrued Expenses	0	0	0
Borrowings - Debentures	53,457	(212,334)	0
Provisions:			
Staff Leave Provisions	(1,633,204)	(1,693,713)	(1,636,069)
<b>Current Liabilities</b>	<b>(4,514,710)</b>	<b>(7,306,910)</b>	<b>(6,083,315)</b>
<b>Net Current Assets</b>	<b>33,176,188</b>	<b>33,297,789</b>	<b>17,603,842</b>
Less: Restricted Assets / Reserve Funds	4 (17,218,168)	(20,789,672)	(18,528,395)
Add: Current - Borrowings	(53,457)	212,334	0
Add: Current - Contract Liabilities held in Reserve accounts	637,221	2,218,249	941,565
Add: Current - Contract Liabilities - Leases	167,441	143,625	167,441
<b>CLOSING FUNDS / NET CURRENT ASSETS (per previous page)</b>	<b>16,709,224</b>	<b>15,082,326</b>	<b>184,453</b>





# [Appendix ORD: 12.4.3B]



## Statement of Comprehensive Income by Program For the Period Ended 31 July 2022 (Covering 1 month or 8.5% of the year)

	2022/23 Adopted Budget \$	2022/23 Revised Budget \$	2022/23 Y-T-D Revised Budget \$	2022/23 Y-T-D Actual \$	Variance Y-T-D		2022/23 Forecast \$	2021/22 Last Year Actual \$
					Actual to Revised Budget \$	Actual to Revised Budget %		
<b>Revenue</b>								
General Purpose Funding	16,606,755	16,606,755	14,582,334	14,567,540	(14,794)	0.1%	16,606,755	16,212,394
Governance	800	800	65	11	(54)	83.2%	800	4,769
Law, Order, Public Safety	312,737	312,737	22,191	62,835	40,644	(183.2%)	382,129	525,342
Health	28,050	28,050	2,337	1,083	(1,254)	53.7%	28,050	23,550
Education and Welfare	6,000	6,000	83	0	(83)	100.0%	6,000	7,550
Housing	0	0	0	0	0	0.0%	0	0
Community Amenities	1,756,509	1,756,509	1,491,969	1,537,730	45,761	(3.1%)	1,756,509	1,922,514
Recreation and Culture	1,776,050	1,776,050	393,051	373,201	(19,850)	5.1%	5,304,900	1,864,417
Transport	196,957	196,957	146,081	144,333	(1,748)	1.2%	1,777,974	177,767
Economic Services	195,250	195,250	38,184	37,403	(781)	2.0%	195,250	161,690
Other Property and Services	3,170,046	3,170,046	19,145	20,986	1,841	(9.6%)	3,170,046	247,800
	24,049,154	24,049,154	16,695,440	16,745,120	49,680	(0.3%)	29,228,413	21,147,793
<b>Expenses</b>								
General Purpose Funding	(389,518)	(389,518)	(42,493)	(32,658)	9,835	23.1%	(389,518)	(537,310)
Governance	(1,303,217)	(1,303,217)	(139,293)	(91,164)	48,129	34.6%	(1,303,217)	(1,370,910)
Law, Order, Public Safety	(1,748,584)	(1,748,584)	(198,214)	(148,212)	50,002	25.2%	(1,748,584)	(1,727,569)
Health	(597,360)	(597,360)	(54,978)	(45,426)	9,552	17.4%	(597,360)	(536,669)
Education and Welfare	(976,940)	(966,940)	(77,789)	(47,543)	30,246	38.9%	(966,940)	(897,054)
Housing	0	0	0	0	0	0.0%	0	0
Community Amenities	(3,513,422)	(3,513,422)	(184,143)	(133,607)	50,536	27.4%	(3,513,422)	(3,389,819)
Recreation & Culture	(8,355,485)	(8,355,485)	(732,731)	(664,901)	67,830	9.3%	(8,355,485)	(8,375,855)
Transport	(6,596,712)	(6,596,712)	(555,495)	(559,905)	(4,410)	(0.8%)	(6,596,712)	(6,577,261)
Economic Services	(474,369)	(484,369)	(36,379)	(39,645)	(3,266)	(9.0%)	(484,369)	(544,956)
Other Property and Services	(301,901)	(301,901)	(155,100)	39,557	194,657	125.5%	(301,901)	(418,862)
	(24,257,507)	(24,257,507)	(2,176,615)	(1,723,505)	453,110	20.8%	(24,257,507)	(24,376,265)
<b>Operational Surplus / (Deficit)</b>	<b>(208,353)</b>	<b>(208,353)</b>	<b>14,518,825</b>	<b>15,021,616</b>	<b>502,791</b>	<b>(3.5%)</b>	<b>4,970,906</b>	<b>(3,228,472)</b>
Grants & Contributions for the Development of Assets	5,179,259	5,358,137	366,104	2,520	(363,584)	(99.3%)	5,179,259	7,933,207
Profit on Asset Disposals	2,942,186	2,942,186	161	0	(161)	0.0%	2,942,186	0
Loss on Asset Disposals	0	0	0	0	0	0.0%	0	(10,534)
	8,121,445	8,300,323	366,265	2,520	(363,745)	99.3%	8,121,445	7,922,673
<b>NET RESULT</b>	<b>7,913,092</b>	<b>8,091,970</b>	<b>14,885,090</b>	<b>15,024,136</b>	<b>139,046</b>	<b>(0.9%)</b>	<b>13,092,351</b>	<b>4,694,201</b>
<b>Other Comprehensive Income</b>								
Changes on Revaluation of Non-Current Assets	0	0	0	0	0	0.0%	0	0
<b>TOTAL COMPREHENSIVE INCOME</b>	<b>7,913,092</b>	<b>8,091,970</b>	<b>14,885,090</b>	<b>15,024,136</b>	<b>139,046</b>	<b>(0.9%)</b>	<b>13,092,351</b>	<b>4,694,201</b>

# [Appendix ORD: 12.4.3B]



## Notes to the Statement of Financial Activity For the Period Ended 31 July 2022

### 1. PROGRAMS / ACTIVITIES

In order to discharge its responsibilities to the community, the Shire has developed a set of operational and financial objectives. These objectives have been established both on an overall basis, reflected by the Shire's Community Vision and for each of its broad activities/programs.

#### COMMUNITY VISION

*Provide effective leadership in encouraging balanced growth and development of the Shire while recognising the diverse needs of the community.*

PROGRAM NAME	OBJECTIVE	ACTIVITIES
GENERAL PURPOSE FUNDING	To collect revenue to allow for the provision of services	Rates, general purpose government grants and interest revenue.
GOVERNANCE	To provide a decision making process for the efficient allocation of scarce resources.	Includes the activities of members of Council and the administration support available to Council for the provision of governance of the District. Other costs relate to the task of assisting elected members and ratepayers on matters which do not concern specific Council services.
LAW, ORDER, PUBLIC SAFETY	To provide services to help ensure a safer and environmentally conscious community.	Supervision and enforcement of various local-laws relating to the fire prevention, animal control and protection of the environment, and other aspects of public safety including emergency services.
HEALTH	To provide services to achieve community and environmental health.	Maternal and infant health facilities, immunisation, meat inspection services, inspection of food outlets, noise control and pest control services.
EDUCATION AND WELFARE	To provide services to children, youth, the elderly and disadvantaged persons.	Pre-school and other education services, child minding facilities, playgroups, senior citizens' centres.
COMMUNITY AMENITIES	To provide services required by the community.	Rubbish collection services, operation of refuse site, litter control, construction and maintenance of urban storm water drains, protection of the environment and administration of town planning schemes, cemeteries and
RECREATION AND CULTURE	To establish and effectively manage infrastructure and resources which help the social well being of the community.	Maintenance of halls, civic buildings, river banks, recreation centre and various sporting facilities. Provision and maintenance of parks, gardens and playgrounds. Operation of library and other cultural facilities.
TRANSPORT	To promote safe, effective and efficient transport services to the community.	Construction and maintenance of streets, roads, bridges, footpaths, cycle ways, parking facilities, traffic control and depot. Cleaning of streets and maintenance of street trees, street lighting, etc.
ECONOMIC SERVICES	To help promote the shire and its economic wellbeing.	Tourism and area promotion, building control, provision of rural services including weed control and vermin control, standpipes.
OTHER PROPERTY & SERVICES	To monitor and control Council's overheads operating accounts.	Private works operations, plant repairs and operations costs, engineering operation costs.



## Notes to the Statement of Financial Activity For the Period Ended 31 July 2022

### 2. EXPLANATION OF MATERIAL VARIANCES IN THE STATEMENT OF FINANCIAL ACTIVITY

The material variances adopted by the Shire of Dardanup for reporting in the 2022/23 year is 5% or \$25,000, whichever is the greater.  
All variances are between Year-to-Date Actual and Year-to-Date Revised Budget values.

	2022/23 Y-T-D Revised Budget \$	2022/23 Y-T-D Actual \$	Variance to Y-T-D Revised Budget \$	Variance to Y-T-D Revised Budget %	Timing / Permanent	Material Variance - Explanation
<b>OPERATING ACTIVITIES</b>						
<b>Revenue</b>						
Rates	14,935,328	14,926,990	(8,338)	(0.1%)		
Operating grants, subsidies & contributions	196,379	219,523	23,144	11.8%		
Fees and charges	1,549,806	1,589,878	40,072	2.6%		
Interest earnings	13,927	8,729	(5,198)	(37.3%)		
Other revenue	0	0	0	0.0%		
Profit on asset disposal	161	0	(161)	(100.0%)	▼	Timing
<b>Total Operating Revenue</b>	<b>16,695,601</b>	<b>16,745,120</b>	<b>49,519</b>	<b>0.3%</b>		Planned sale of land has not yet occurred
<b>Operating Expenses</b>						
Employee costs	(919,701)	(733,929)	185,772	20.2%	▲	Timing
						Lower costs to date incurred for: \$83,000 workers compensation insurance (premium to be paid by two instalments), \$54,000 for timecard wages allocated to works but not yet paid, \$15,000 accrued leave, \$10,000 staff training and \$10,000 superannuation.
Materials and contracts	(497,563)	(286,324)	211,239	42.5%	▲	Timing
						Lower costs due to purchasing prior to budget adoption on 27 July being limited to urgent and essential spending.
Utility charges	(47,626)	(19,181)	28,445	59.7%	▲	Timing
Depreciation on non-current assets	(501,489)	(501,497)	(8)	(0.0%)		Monthly account for street lighting charges not yet received.
Interest expenses	(38,041)	(28,850)	9,191	24.2%		
Insurance expenses	(152,464)	(158,641)	(6,177)	0.0%		
Other expenses	(19,892)	4,918	24,810	124.7%		
Loss on asset disposals	0	0	0	0.0%		
<b>Total Operating Expenditure</b>	<b>(2,176,776)</b>	<b>(1,723,505)</b>	<b>453,271</b>	<b>(20.8%)</b>		
<b>Net Operating Activities</b>	<b>14,518,825</b>	<b>15,021,616</b>	<b>502,791</b>	<b>3.5%</b>		
<b>ADJUSTMENTS OF NON CASH ITEMS</b>						
(Profit)/Loss on Asset Disposals	(161)	0	161	(100.0%)		
Depreciation on Assets	501,489	501,497	8	0.0%		
<b>Adjusted Net Operating Activities</b>	<b>15,020,153</b>	<b>15,523,113</b>	<b>502,960</b>	<b>3.3%</b>		

(continued next page)



Notes to the Statement of Financial Activity  
For the Period Ended 31 July 2022

2. EXPLANATION OF MATERIAL VARIANCES IN THE STATEMENT OF FINANCIAL ACTIVITY (continued)

	2022/23 Y-T-D Revised Budget \$	2022/23 Y-T-D Actual \$	Variance to Y-T-D Revised Budget \$	Variance to Y-T-D Revised Budget %	Timing / Permanent	Material Variance - Explanation
<b>INVESTING ACTIVITIES</b>						
<b>Revenue</b>						
Non-operating grants, subsidies & contributions	231,950	2,520	(229,430)	(98.9%) ▼	Timing	No significant grants or contributions received or used to date.
Proceeds from disposal of assets	0	0	0	0.0%		
Payments for land and buildings	(1,349,452)	(19,115)	1,330,337	98.6% ▲	Timing	Minimal activity on capital works due to timing of the budget adoption being late July
Payments for transport infrastructure assets	(885,682)	(28,891)	856,791	96.7% ▲	Timing	Minimal activity on capital works due to timing of the budget adoption being late July
Payments for parks infrastructure assets	(155,321)	(6,347)	148,974	95.9% ▲	Timing	Minimal activity on capital works due to timing of the budget adoption being late July
Payments for motor vehicles	0	0	0	0.0%		
Payments for plant & equipment	0	0	0	0.0%		
Payments for furniture & fittings	(14,030)	0	14,030	100.0%		
<b>Total investing activities</b>	<b>(2,172,535)</b>	<b>(51,834)</b>	<b>2,120,701</b>	<b>(97.6%)</b>		
<b>FINANCING ACTIVITIES</b>						
<b>Revenue</b>						
Proceeds from new debentures	0	0	0	0.0%		
Transfers from reserves	1,797,465	1,172,750	(624,715)	(34.8%) ▼	Timing	No reserve transfers required for capital works projects in July but will likely commence in the following month.
Repayment of debentures	(76,832)	(74,929)	1,903	2.5%		
Principal portion of lease liabilities	(52,820)	(29,634)	23,186	43.9%		
Transfers to Reserves	0	(14,695)	(14,695)	(100.0%)		
<b>Total financing activities</b>	<b>1,667,813</b>	<b>1,053,492</b>	<b>(614,321)</b>	<b>(36.8%)</b>		
<b>FUNDING SOURCES</b>						
Surplus/(Deficit) July 1 B/Fwd	184,453	184,453	0	0.0%		
<b>CLOSING FUNDS (A+B+C+D)</b>	<b>14,699,884</b>	<b>16,709,224</b>	<b>2,009,340</b>	<b>13.7%</b>		

# [Appendix ORD: 12.4.3B]



## Notes to the Statement of Financial Activity For the Period Ended 31 July 2022

### 3. TRUST FUNDS

Funds held at reporting date over which the Shire has no control and which are not included in the financial statements are as follows:

NAME	BALANCE 1 JULY	RECEIPTS	INTEREST	PAYMENTS	ADJUSTMENTS (TRANSFERS)	CLOSING BALANCE
	\$	\$	\$	\$	\$	\$
Ross & Deborah Bevan	40,000.00	0.00	0.00	0.00	0.00	40,000.00
Public Open Space	527,534.28	0.00	0.00	0.00	0.00	527,534.28
Dept Communities Grant - Auspicing for Goodstart Eaton Child Care Centre	25,000.00	0.00	0.00	0.00	0.00	25,000.00
Accrued Interest	65.31	0.00	248.81	0.00	0.00	314.12
Plus: Outstanding Creditors	0.00	0.00	0.00	0.00	0.00	0.00
Less: Outstanding Debtors	0.00	0.00	0.00	0.00	0.00	0.00
<b>TOTAL</b>	<b>592,599.59</b>	<b>0.00</b>	<b>248.81</b>	<b>0.00</b>	<b>0.00</b>	<b>592,848.40</b>

### 4. RESERVES - CASH BACKED

All reserves are supported by cash and cash equivalents and are restricted within equity as Reserves - cash backed.

NAME	BALANCE 1 JULY	RECEIPTS	INTEREST	PAYMENTS	ADJUSTMENTS (TRANSFERS)	CLOSING BALANCE
	\$	\$	\$	\$	\$	\$
<b><i>Council Restricted</i></b>						
Executive & Compliance Vehicles Reserve	202,701.88	0.00	0.00	0.00	0.00	202,701.88
Plant & Engineering Equipment Reserve	873,305.52	0.00	0.00	0.00	0.00	873,305.52
Eaton Recreation Centre - Equipment Reserve	277,331.04	0.00	0.00	0.00	0.00	277,331.04
Building Maintenance Reserve	1,341,021.30	0.00	0.00	0.00	0.00	1,341,021.30
Employee Relief Reserve	265,625.85	0.00	0.00	0.00	0.00	265,625.85
Employee Leave Entitlements Reserve	37,784.58	0.00	0.00	0.00	0.00	37,784.58
Refuse Site Environmental Works Reserve	84,255.28	0.00	0.00	0.00	0.00	84,255.28
Information Technology Reserve	669,245.58	0.00	0.00	0.00	0.00	669,245.58
Roadwork Construction & Major Maintenance Reserve	232,654.59	0.00	0.00	0.00	0.00	232,654.59
Accrued Salaries Reserve	500,668.37	0.00	0.00	0.00	0.00	500,668.37
Tourism Reserve	11,777.32	0.00	0.00	0.00	0.00	11,777.32
Recycling Education Reserve	39,211.29	0.00	0.00	0.00	0.00	39,211.29
Road Safety Programs Reserve	26,778.71	0.00	0.00	0.00	0.00	26,778.71
Council Land Development Reserve	22,681.01	0.00	0.00	0.00	0.00	22,681.01
Carried Forward Projects Reserve	2,893,082.30	0.00	0.00	0.00	0.00	2,893,082.30
Election Expenses Reserve	11,650.71	0.00	0.00	0.00	0.00	11,650.71
Town Planning Consultancy Reserve	38,072.37	0.00	0.00	0.00	0.00	38,072.37
Parks & Reserves Upgrades Reserve	584,762.33	0.00	0.00	0.00	0.00	584,762.33
Strategic Planning Studies Reserve	117,007.55	0.00	0.00	0.00	0.00	117,007.55
Pathways Reserve	308,708.69	0.00	0.00	0.00	0.00	308,708.69
Asset / Rates Revaluation Reserve	284,900.63	0.00	0.00	0.00	0.00	284,900.63
Refuse & Recycling Bin Replacement Reserve	54,919.86	0.00	0.00	0.00	0.00	54,919.86
Sale of Land Reserve	4,589,467.14	0.00	0.00	0.00	0.00	4,589,467.14
Storm Water Reserve	158,642.31	0.00	0.00	0.00	0.00	158,642.31
	<b>13,626,256.21</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>13,626,256.21</b>
<b><i>Statute Restricted</i></b>						
Contribution to Works Reserve	921,807.33	0.00	2,520.00	0.00	0.00	924,327.33
Eaton Drive - Access Construction Reserve	0.00	0.00	0.00	0.00	0.00	0.00
Eaton Drive - Scheme Construction Reserve	0.00	0.00	0.00	0.00	0.00	0.00
Fire Control Reserve	11,593.54	0.00	0.00	0.00	0.00	11,593.54
Collie River (Eaton Drive) Bridge Construction Reserve	509,098.70	0.00	0.00	0.00	0.00	509,098.70
Unspent Grants Reserve	2,208,437.36	0.00	0.00	(1,172,750.00)	0.00	1,035,687.36
Swimming Pool Inspection Reserve	4,510.58	0.00	0.00	0.00	0.00	4,510.58
Burekup - Public Open Space	72,651.30	0.00	0.00	0.00	0.00	72,651.30
Unspent Specified Area Rate - Bulk Waste Collection Reserve	87,829.73	0.00	0.00	0.00	0.00	87,829.73
Unspent Specified Area Rate - Eaton Landscaping Reserve	141,059.73	0.00	0.00	0.00	0.00	141,059.73
Wanju Developer Contribution Plan Unspent Loan Reserve	751,565.19	0.00	0.00	0.00	0.00	751,565.19
Dardanup Expansion Developer Contribution Plan Reserve	41,413.93	0.00	0.00	0.00	0.00	41,413.93
	<b>4,749,967.39</b>	<b>0.00</b>	<b>2,520.00</b>	<b>(1,172,750.00)</b>	<b>0.00</b>	<b>3,579,737.39</b>
Interest	0.00	0.00	12,174.59	0.00	0.00	12,174.59
Less: Outstanding Debtors	0.00	0.00	0.00	0.00	0.00	0.00
<b>TOTAL</b>	<b>18,376,223.60</b>	<b>0.00</b>	<b>14,694.59</b>	<b>(1,172,750.00)</b>	<b>0.00</b>	<b>17,218,168.19</b>

# [Appendix ORD: 12.4.3B]



## Notes to the Statement of Financial Activity For the Period Ended 31 July 2022

### 5. MUNICIPAL LIABILITIES

Funds held at reporting date for bonds and deposits not required to be held in the Trust Fund and classified as restricted to recognise that they are owed to developers/hirers and others. These are now classified as Municipal Liabilities as follows:

	BALANCE 1 JULY	RECEIPTS	INTEREST	PAYMENTS	ADJUSTMENTS (TRANSFERS)	CLOSING BALANCE
	\$	\$	\$	\$	\$	\$
<b>Retention Bonds</b>						
Parkridge Group	52,360.04	0.00	0.00	0.00	0.00	52,360.04
Little Meadows Pty Ltd	15,631.53	0.00	0.00	0.00	0.00	15,631.53
Winterfall Nominees Pty Ltd	36,007.60	0.00	0.00	0.00	0.00	36,007.60
Holland Loop Pty Ltd	19,370.00	0.00	0.00	0.00	0.00	19,370.00
T J Coman	8,384.63	0.00	0.00	0.00	0.00	8,384.63
Garvey Road Pty Ltd	25,953.17	0.00	0.00	0.00	0.00	25,953.17
Burekup Developments Pty Ltd	16,945.37	0.00	0.00	0.00	0.00	16,945.37
Garvey Road Pty Ltd	7,569.43	0.00	0.00	0.00	0.00	7,569.43
Thompson Surveying Consultants	21,993.00	0.00	0.00	0.00	0.00	21,993.00
Universal Marine Systems	4,123.29	0.00	0.00	0.00	0.00	4,123.29
<b>Total - Retention Bonds</b>	<b>208,338.06</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>208,338.06</b>
<b>Extractive Industry Rehabilitation Bonds</b>						
L G Davidson	1,290.20	0.00	0.00	0.00	0.00	1,290.20
M Denholm	845.24	0.00	0.00	0.00	0.00	845.24
S Catalano	1,340.36	0.00	0.00	0.00	0.00	1,340.36
Bunbury Agricultural Society	2,387.88	0.00	0.00	0.00	0.00	2,387.88
D Buser	1,282.84	0.00	0.00	0.00	0.00	1,282.84
Valli & Co	2,600.14	0.00	0.00	0.00	0.00	2,600.14
Charles Hull Contracting	7,603.41	0.00	0.00	0.00	0.00	7,603.41
J & P Group	135,809.01	0.00	0.00	0.00	0.00	135,809.01
<b>Total - Extractive Industries Bonds</b>	<b>153,159.08</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>153,159.08</b>
<b>Specified Projects</b>						
Dardanup Central Bushfire Station Refurbishment - Red Cross - A Poad Bequest	33,776.15	0.00	0.00	0.00	0.00	33,776.15
Wells Recreation Ground Refurbishment/Expansion - Red Cross - A Poad Bequest	53,139.81	0.00	0.00	0.00	0.00	53,139.81
<b>Total - Specified Projects</b>	<b>86,915.96</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>86,915.96</b>
<b>Sundry Deposits</b>						
Unclaimed Monies	1,838.11	0.00	0.00	(70.11)	0.00	1,768.00
Bunbury Wellington Group of Councils (BunGeo Group of Councils - BGGC)	50,532.31	2,500.00	0.00	0.00	0.00	53,032.31
<b>Total - Sundry Deposits</b>	<b>52,370.42</b>	<b>2,500.00</b>	<b>0.00</b>	<b>(70.11)</b>	<b>0.00</b>	<b>54,800.31</b>
<b>Election Deposits</b>	0.00	0.00	0.00	0.00	0.00	0.00
<b>Key Bonds</b>	752.68	0.00	0.00	0.00	0.00	752.68
<b>Hire Bonds</b>	3,630.00	300.00	0.00	0.00	0.00	3,930.00
<b>Kerb Bonds</b>	75,041.91	0.00	0.00	0.00	0.00	75,041.91
<b>Construction Training Fund</b>	8,434.41	2,799.74	0.00	0.00	0.00	11,234.15
<b>Building Services Levy</b>	2,606.31	7,113.80	0.00	0.00	0.00	9,720.11
<b>Development Assessment Panel</b>	0.00	11,630.00	0.00	0.00	0.00	11,630.00
<b>Less Outstanding Debtors</b>	0.00	0.00	0.00	0.00	0.00	0.00
<b>TOTAL</b>	<b>591,248.83</b>	<b>24,343.54</b>	<b>0.00</b>	<b>(70.11)</b>	<b>0.00</b>	<b>615,522.26</b>

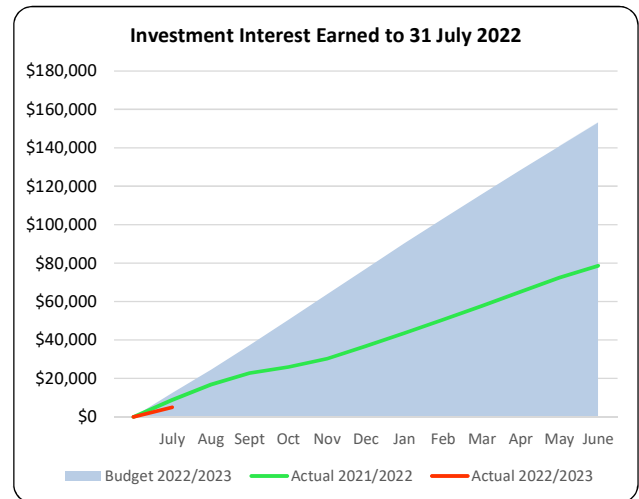
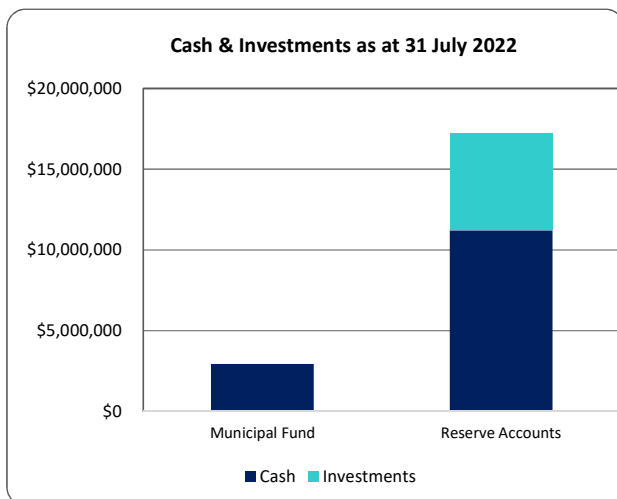
# [Appendix ORD: 12.4.3B]



## Notes to the Statement of Financial Activity For the Period Ended 31 July 2022

### 6. STATEMENT OF INVESTMENTS

BANK	TYPE	AMOUNT	RATE	DAYS	COMMENCE	MATURITY	ESTIMATED INTEREST	INTEREST CREDITED 2022-2023
<b>MUNICIPAL FUND</b>								
CBA	Municipal Fund Bank Account	\$ 1,921,451.01	1.15%					\$672.65
CBA	Municipal - Business Online Saver	\$ 1,002,900.66	1.45%					\$1,571.46
	Interest received on matured deposits	<u>\$ 2,924,351.67</u>					<u>\$0.00</u>	<u>\$2,244.11</u>
<b>TRUST FUND</b>								
CBA	Trust Fund Bank Account	\$ 592,599.59	0.00%				\$0.00	\$248.81
		<u>\$ 592,599.59</u>					<u>\$0.00</u>	<u>\$248.81</u>
<b>RESERVE ACCOUNTS</b>								
CBA	Reserve Bank Account	\$ 1,696,287.50	1.15%				\$0.00	\$1,395.12
CBA	Reserve - Business Online Saver	\$ 9,507,349.80	1.45%					\$3,320.57
ANZ	Term Deposit	\$ 3,000,000.00	0.39%	304	10/2021	8/2022	\$9,744.66	
ANZ	Term Deposit - Interest Compounded	\$ 3,014,530.89	0.40%	335	10/2021	9/2022	\$11,067.04	
	Interest received on matured deposits	<u>\$ 17,218,168.19</u>					<u>\$20,811.70</u>	<u>\$7,458.90</u>
								<u>\$12,174.59</u>
<b>Total Interest Received</b>								<u><u>\$14,667.51</u></u>





## Notes to the Statement of Financial Activity For the Period Ended 31 July 2022

### 6. STATEMENT OF INVESTMENTS (continued)

#### Total Funds Invested

Total Funds Invested as at Reporting Date -

Municipal Fund Investment Portfolio	\$ -
Trust Fund Investment Portfolio	\$ -
Reserve Fund Investment Portfolio	\$ 6,014,530.89
	<u>\$ 6,014,530.89</u>

#### Investment Policy - Portfolio Risk Exposure

Council's investment policy provides a framework to manage the risks associated with financial investments.

#### Portfolio - Terms of Maturity

Limits are placed on the term to maturity thereby reducing the impact of any significant change in interest rate markets and to provide liquidity.

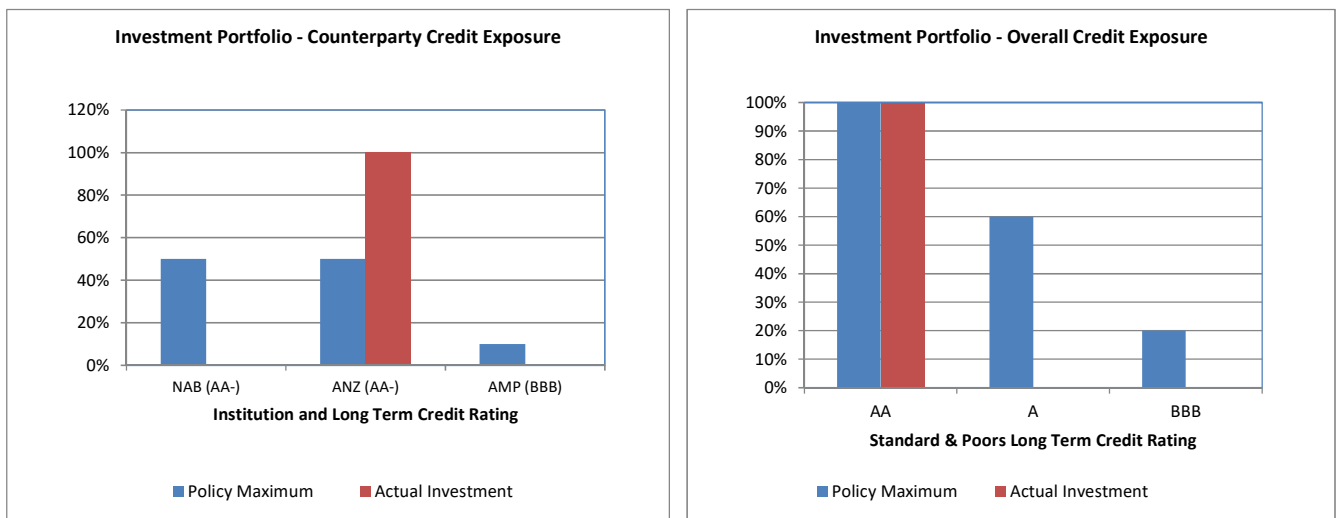
#### Counterparty Credit Exposure

Exposure to an individual authorised deposit-taking institution (ADI) counterparty will be restricted by their credit rating so that single entity exposure is limited.

#### Overall Credit Exposure

To control the credit quality on the entire portfolio, limits are placed on the percentage exposed to any particular credit rating category.

The following charts demonstrate the current portfolio diversity and risk compliance with the policy framework.





# [Appendix ORD: 12.4.3B]

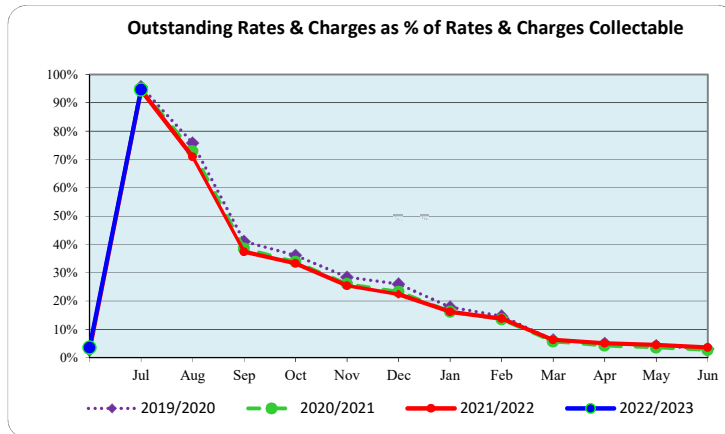


## Notes to the Statement of Financial Activity For the Period Ended 31 July 2022

### 7. Accounts Receivable as at 31 July 2022

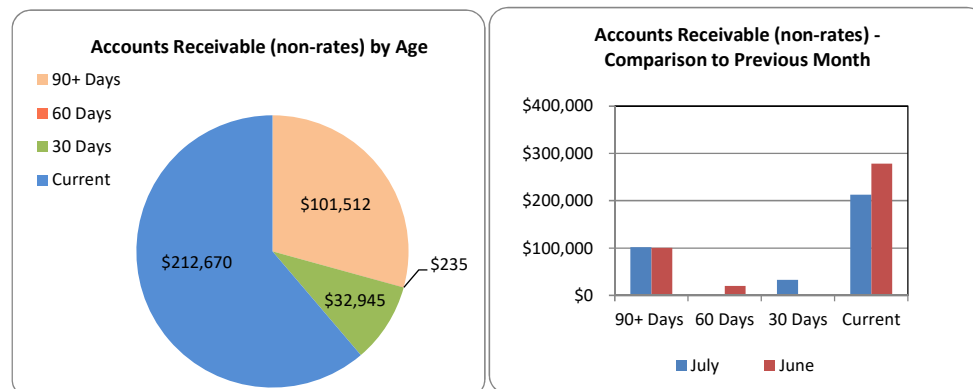
#### Rates and Charges Outstanding

2022/23 annual rates were raised on 28 July 2022 and are due by 21 September 2022 for payment in full or for the first of four instalments. For ratepayers who elected to pay by the four instalment option, the final instalment will be due by 29 March 2023. As at the reporting date, total outstanding rates and charges (including pensioner deferred rates) is \$16,813,590. This equates to 94.70% of rates and charges collectable. It is the objective of management to achieve less than 4% of rates and charges outstanding by 30 June.



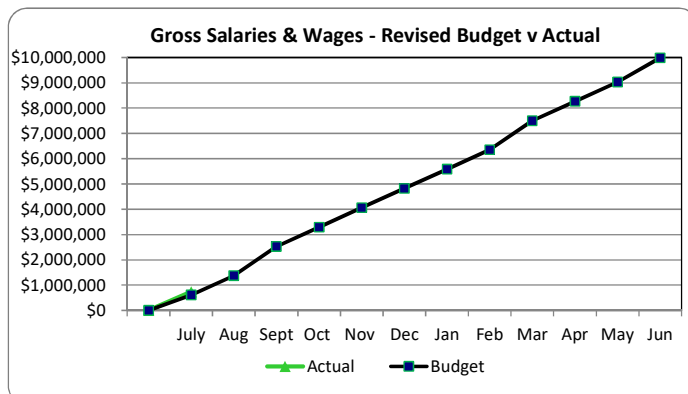
#### Sundry Debtors Outstanding (non-rates)

As at the reporting date, the total outstanding Sundry Debtors amount to \$347,362. Government grant invoices for 22/23 funding for \$144,000 of the current debts. The only significant invoice outstanding in excess of 30 days is for Education Department use of Eaton Recreation Centre and Glen Huon Oval. Education Department have finalised their review and now arranging payment.



### 8. Salaries and Wages to 31 July 2022

At the reporting date, total salaries and wages expenditure is \$739,666 (7.4%) of the annual budget of \$9,989,148 for the 2022/23 financial year.





Notes to the Statement of Financial Activity  
For the Period Ended 31 July 2022

RATING INFORMATION

RATE TYPE	Rate in	Number of properties	Rateable value	2022/23 Budget rate revenue	2022/23 Budget interim rates	2022/23 Budget back rates	2022/23 Budget total revenue	2022/23 Actual total revenue	2021/22 Actual total revenue	2021/22 Budget total revenue
	\$		\$	\$	\$	\$	\$		\$	\$
<b>Differential general rate or general rate</b>										
<b>Gross rental valuations</b>										
General Rates - GRV: Residential	0.103260	4,069	75,050,605	7,749,725	0	0	7,749,725	7,749,977	6,391,857	6,391,857
General Rates - GRV: Commercial	0.103260	61	14,621,022	1,509,767	0	0	1,509,767	1,509,767	1,520,904	1,520,904
General Rates - GRV: Industrial	0.103260	65	8,975,470	926,807	0	0	926,807	926,807	830,417	830,417
General Rates - GRV: Small Holding	0.103260	369	8,638,608	892,023	0	0	892,023	892,023	817,475	817,475
General Rates - GRV: Interim and Back Rates	0.103260	0	0	0	111,668	0	111,668	0	99,081	92,600
<b>Unimproved valuations</b>										
General Rates - UV: Broad Acre Rural	0.006362	491	277,205,512	1,763,581	0	0	1,763,581	1,763,830	1,677,068	1,677,068
General Rates - UV: Mining	0.006362	0	0	0	0	0	0	0	0	0
General Rates - UV: Interim and Back Rates	0.006362	0	0	0	0	0	0	0	0	0
<b>Sub-Totals</b>		5,055	384,491,217	12,841,903	111,668	0	12,953,571	12,842,403	11,336,802	11,330,321
<b>Minimum</b>										
<b>Minimum payment</b>	\$									
<b>Gross rental valuations</b>										
General Rates - GRV: Residential	1,547.50	834	9,953,955	1,290,615	0	0	1,290,615	1,290,615	2,237,685	2,237,685
General Rates - GRV: Commercial	1,547.50	9	67,360	13,927	0	0	13,927	13,928	10,833	10,833
General Rates - GRV: Industrial	1,547.50	49	505,650	75,828	0	0	75,828	75,828	68,090	68,090
General Rates - GRV: Small Holding	1,547.50	65	531,830	100,588	0	0	100,588	100,588	122,253	122,253
General Rates - GRV: Interim and Back Rates	1,547.50	0	0	0	0	0	0	0	0	0
<b>Unimproved valuations</b>										
General Rates - UV: Broad Acre Rural	1,547.50	130	19,723,287	201,175	0	0	201,175	201,175	194,985	194,985
General Rates - UV: Mining	1,547.50	18	232,409	27,855	0	0	27,855	27,855	21,665	21,665
General Rates - UV: Interim and Back Rates	1,547.50	0	0	0	0	0	0	0	0	0
<b>Sub-Totals</b>		1,105	31,014,491	1,709,988	0	0	1,709,988	1,709,988	2,655,511	2,655,511
		6,160	415,505,708	14,551,891	111,668	0	14,663,559	14,552,391	13,992,313	13,985,832
Concession on general rates							(12,062)	0	(37,427)	(25,027)
Rates write-off							(4,000)	(6)	(1,747)	(4,000)
Total amount raised from general rates							14,647,497	14,552,385	13,953,139	13,956,805
Specified area rates - bulk waste collection			83,442,010	109,726			109,726	109,769	102,893	103,719
Specified area rates - Eaton landscaping			90,508,822	264,740			264,740	264,836	251,632	250,882
Total specified area and ex gratia rates							374,466	374,605	354,525	354,601
<b>Total rates</b>							15,021,963	14,926,991	14,307,664	14,311,406



## Notes to the Statement of Financial Activity For the Period Ended 31 July 2022

### 10. INFORMATION ON BORROWINGS

#### Debenture Repayments

		Principal Opening Balance 01 July 2022	New Loans 2022/23		Principal Repayments 2022/23		Interest Repayments 2022/23		Principal Outstanding 30 June 2023	
Particulars	Loan No.		Actual	Adopted Budget	Actual	Adopted Budget	Actual	Adopted Budget	Actual	Adopted Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Community Amenities</b>										
Wanju/Waterloo Industrial Park										
Developer Contribution Plans	70	685,557	0	0	0	(66,588)	0	(26,738)	685,557	618,970
Waste Bins (3 Bin System)	71	320,000	0	0	(21,472)	(43,150)	(3,055)	(7,821)	298,528	276,850
<b>Recreation and Culture</b>										
Eaton Recreation Centre	59	99,117	0		0	(99,118)	0	(4,741)	99,117	0
Glen Huon Oval Club Rooms	69	881,525	0	0	(22,003)	(44,429)	(16,925)	(39,375)	859,522	837,096
Sport Lighting / Eaton Oval C/Rooms	New	0	0	1,000,000	0	(20,265)	0	(14,133)	0	979,735
<b>Transport</b>										
Depot Land	66	383,437	0	0	(31,454)	(63,548)	(7,803)	(17,510)	351,983	319,889
<b>Economic Services</b>										
Gravel Pit Land - Panizza Road	61	41,220	0	0	0	(27,052)	0	(2,350)	41,220	14,168
<b>Other Property and Services</b>										
Administration Building Extensions	65	43,972	0	0	0	(43,971)	0	(2,650)	43,972	0
Library / Adminstration Centre	New	0	0	6,000,000	0	(121,593)	0	(84,800)	0	5,878,407
		2,454,828	0	7,000,000	(74,929)	(529,714)	(27,783)	(200,118)	2,379,899	8,925,115

All debenture repayments are financed by general purpose revenue.



## Notes to the Statement of Financial Activity For the Period Ended 31 July 2022

### 11. BUDGET AMENDMENTS

Amendments to the original budget since budget adoption. Surplus/(Deficit)

GL/JOB Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Revised Budget Running Balance
				\$	\$	\$	\$
	<b>Budget Adoption</b>						
	<b>Permanent Changes</b>						
			Opening Surplus (Budgeted)				137,167
J12316	Bridge Renewals - Bridge 4930 Collie River Road (Krones)	27/07/22 - 190-22	Asset Acquisition			(125,000)	12,167
0341003	Transfer from Reserve - Unspent Grants	27/07/22 - 190-22	Transfer from Reserve		24,480		36,647
1241010	Transfer from Reserve - Carried Forward Projects Reserve	27/07/22 - 190-22	Transfer from Reserve		100,520		137,167
1312501	Increase to Tourism and Events budget for Dardanup Bull & Barrel Festival	27/07/22 - 208-22	Operating Expense			(10,000)	127,167
J08714	and the Dardanup Arts Spectacular, Minor / Community Event Assistance	27/07/22 - 208-22	Operating Expense		10,000		137,167
					<b>135,000</b>	<b>(135,000)</b>	<b>137,167</b>