



CITY of PERTH

Lord Mayor and Councillors,

NOTICE IS HEREBY GIVEN that the next meeting of the **Finance and Administration Committee** will be held in Committee Room 1, Ninth Floor, Council House, 27 St Georges Terrace, Perth on **Tuesday, 17 February 2015 at 4.00pm.**

Yours faithfully

**GARY STEVENSON PSM
CHIEF EXECUTIVE OFFICER**

12 February 2015

Committee Members:

Members:

Cr Davidson OAM JP (Presiding
Member)
Cr Butler
Cr Yong

1st Deputy:

Cr Adamos

2nd Deputy:

Cr Harley

Please convey apologies to Governance on 9461 3250
or email governance@cityofperth.wa.gov.au

EMERGENCY GUIDE

Council House, 27 St Georges Terrace, Perth



CITY of PERTH

The City of Perth values the health and safety of its employees, tenants, contractors and visitors. The guide is designed for all occupants to be aware of the emergency procedures in place to help make an evacuation of the building safe and easy.

BUILDING ALARMS

Alert Alarm and Evacuation Alarm.

ALERT ALARM

beep beep beep

All Wardens to respond.

Other staff and visitors should remain where they are.

EVACUATION ALARM/PROCEDURES

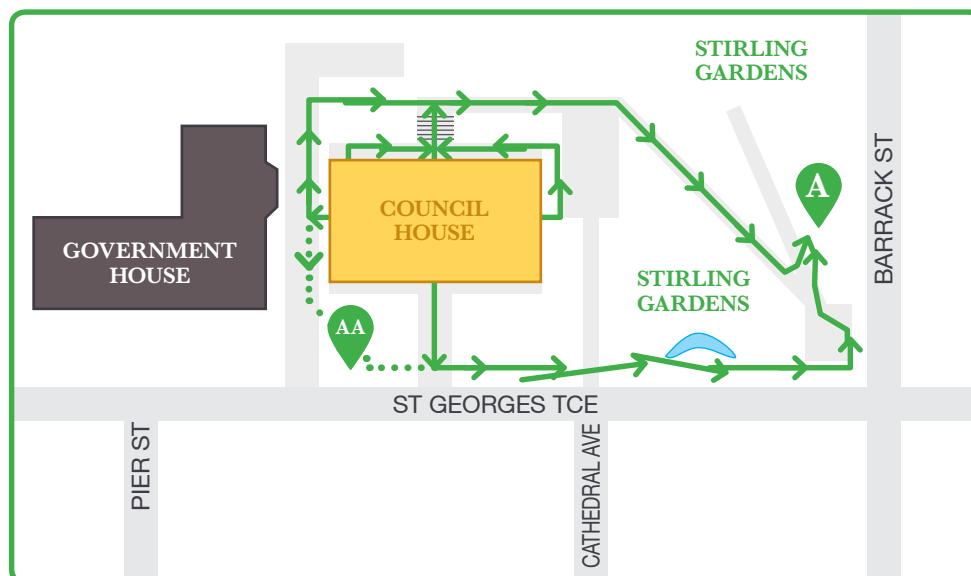
whoop whoop whoop

On hearing the Evacuation Alarm or on being instructed to evacuate:

1. Move to the floor assembly area as directed by your Warden.
2. People with impaired mobility (those who cannot use the stairs unaided) should report to the Floor Warden who will arrange for their safe evacuation.
3. When instructed to evacuate leave by the emergency exits. **Do not use the lifts.**
4. Remain calm. Move quietly and calmly to the assembly area in **Stirling Gardens** as shown on the map below. Visitors must remain in the company of City of Perth staff members at all times.
5. After hours, evacuate by the nearest emergency exit. **Do not use the lifts.**



EVACUATION ASSEMBLY AREA



Assembly Area

Alternate Assembly Area

FINANCE AND ADMINISTRATION COMMITTEE

Established: 17 May 2005 (Members appointed 22 October 2013)

Members:	1st Deputy:	2nd Deputy:
Cr Davidson OAM JP (Presiding Member)	Cr Adamos	Cr Harley
Cr Butler		
Cr Yong		

Quorum: Two

Expiry: October 2015

TERMS OF REFERENCE:

[Adopted OCM 04/06/13]

1. To oversee and make recommendations to the Council on matters related to:
 - a. the financial management of the City including budgeting, payment of accounts, collection of debts, investment of funds and write-offs;
 - b. strategic and annual plans;
 - c. management of local government property including issues relating to the City's civic buildings (Council House, Perth Town Hall, Perth Concert Hall and the City of Perth Library);
 - d. business opportunities and proposals, including those related to parking, having the potential to achieve new income or savings for the City, which may have been initiated by other Committees of the Council;
 - e. Fees and charges levied by the City in accordance with Sections 6.16 or 6.32 of the Local Government Act 1995;
 - f. Elected Members, including protocols and procedures, benefits and allowances;
 - g. Council's policies, local laws and Register of Delegations;
 - h. the management and enforcement of permanent and temporary on-street parking proposals or restrictions and any associated fees or signage;
 - i. any other issues requiring a decision of the Council and not specifically defined in the Terms of Reference for any other Committee of the Council.
2. To determine:
 - a. public art, art purchases and management of the City's art collection with the authority to purchase artworks over \$5,000 (excluding GST) and the deaccession of artworks in accordance with Policy 18.2 - Collection Management;
 - b. requests for receptions referred to the Committee by the Lord Mayor, with authority to approve or decline requests of \$5,000 or less.

This meeting is open to members of the public.

INFORMATION FOR THE PUBLIC ATTENDING COMMITTEE MEETINGS

Question Time for the Public

- An opportunity is available at all Committee meetings open to members of the public to ask a question about any issue relating to the City. This time is available only for asking questions and not for making statements. Complex questions requiring research should be submitted as early as possible in order to allow the City sufficient time to prepare a response.
- The Presiding Person may nominate a Member or officer to answer the question, and may also determine that any complex question requiring research be answered in writing. No debate or discussion is allowed to take place on any question or answer.
- To ask a question please write it on the white Question Sheet provided at the entrance to the Council Chamber and hand it to a staff member at least an hour before the meeting begins. Alternatively, questions can be forwarded to the City of Perth prior to the meeting, by:-
 - Letter: Addressed to GPO Box C120, Perth, 6839;
 - Email: governance@cityofperth.wa.gov.au.
- *Question Sheets are also available on the City's web site: www.perth.wa.gov.au.*

Deputations

A deputation wishing to be received by a Committee is to apply in writing to the CEO who will forward the written request to the Presiding Member. The Presiding Member may either approve the request or may instruct the CEO to refer the request to the Committee to decide whether or not to receive the deputation. If the Presiding Member approves the request, the CEO will invite the deputation to attend the meeting.

Please refer to the 'Deputation to Committee' form provided at the entrance to the Council Chamber for further information on the procedures for deputations. These forms are also available on the City's web site: www.perth.wa.gov.au.

Disclaimer

Members of the public should note that in any discussion regarding any planning or other application that any statement or intimation of approval made by any Member or officer of the City during the course of any meeting is not intended to be and is not to be taken as notice of approval from the City. No action should be taken on any item discussed at a Committee meeting prior to written advice on the resolution of the Council being received.

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**FINANCE AND ADMINISTRATION COMMITTEE
17 FEBRUARY 2015**

ORDER OF BUSINESS

- 1. Declaration of Opening**
- 2. Apologies and Members on Leave of Absence**
- 3. Question Time for the Public**
- 4. Confirmation of Minutes – 27 January 2015**
- 5. Correspondence**
- 6. Disclosure of Members' Interests**
- 7. Matters for which the Meeting may be Closed**

In accordance with Section 5.23(2) of the *Local Government Act 1995*, the meeting will be required to be closed to the public prior to discussion of the following:

Item No.	Item Title	Reason
7	Removal of the Raine Square Pedestrian Overpass	Section 5.23(2)(e)(ii)

- 8. Reports**
- 9. Motions of which Previous Notice has been Given**
- 10. General Business**
 - 10.1. Responses to General Business from a Previous Meeting**

Nil
 - 10.2. New General Business**

(Cont'd)

11. Items for Consideration at a Future Meeting

Outstanding Reports:

- Strategic Property Review (raised FB29/05/12, updated 03/12/13 and 29/07/14).
- Loading zones in the city (raised FB20/08/13).
- Upgrade of Forrest Chase Walkways (raised FA25/03/14).
- Council Dining Room (raised FA30/09/14).

12. Closure

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ITEM NO: 1

INVESTMENTS AND INVESTMENT RETURNS FOR THE PERIOD ENDED 31 JANUARY 2015

RECOMMENDATION:

(INFORMATION)

That the Finance and Administration Committee receives the report detailing investments and investment returns for the period ended 31 January 2015, as detailed in Schedule 1.

BACKGROUND:

FILE REFERENCE: P1030634-8
REPORTING OFFICER: Ian Berry, Manager Financial Services
RESPONSIBLE DIRECTOR: Robert Mianich, Director Corporate Services
DATE: 5 February 2015
MAP / SCHEDULE: Schedule 1 – Investment Report for the period ended 31 January 2015, Short Term Investments and Institutional Credit and Ratings

Investments are made in accordance with Policy 9.3 – Management of Investments. The policy sets objectives and risk management guidelines for investing surplus and reserve funds not immediately required for any other purpose.

This report reviews the results for the month of January 2015.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation Section 6.14 of the *Local Government Act 1995*
Regulation 19C of the *Local Government (Financial Management) Regulations 1996*

Integrated Planning and Reporting Framework Implications **Strategic Community Plan**
Council Four Year Priorities: Community Outcome Capable and Responsive Organisation
A capable, flexible and sustainable organisation with a strong and effective governance system to provide leadership as a capital city and deliver efficient and effective community centred services.

Policy

Policy No and Name: 9.3 – Management of Investments

DETAILS:

Investment earnings in January 2015 amounted to \$580,000. The average rate of earnings was 4.85% compared to the cash rate of 2.5% and the benchmark of 3.00%. The Colonial balanced fund reported positive earnings of \$130,000.

Call Accounts

Monies at call with the ANZ totalled \$4.3 million on 31 January 2015. The Members Equity account has been cleared as the interest rate offered was the same as the ANZ with a higher risk rating.

Term Deposits

All deposits are now earning in the range of 3.3% to 3.7%.

Term deposits comprise the bulk of the City's investments with \$133.8 million currently deposited. Rates have been trending lower and are related to the RBA cash rate of 2.5% which had remained unchanged for several months. The premium over this rate has been eroding and it is believed this will continue because of the implications of the Basle 3 agreement. The City attempts to get the best rate available from well known, regulated institutions particularly the Big Four banks, but opportunities are becoming more limited.

The reduction by the Reserve Bank of the official cash rate to 2.25% in early February has had an immediate impact on term deposit rates with the best rates for sub twelve month deposits falling to 3.15% to 3.20%.

Floating Rate Notes (FRNs)

The remaining Westpac FRN continues to earn interest now at 4.17%.

Medium Term Investments

The market value of the Emerald mortgage backed security decreased during the month by \$1,000.

Balanced Funds

The Colonial Share Index Fund increased in value by \$130,000 in January.

Spread of Investments

The City's exposure to investment institutions is as follows:

ANZ	9%
ING	19%
Bank of Queensland	16%
BankWest	6%
NAB	32%
Suncorp Metway	6%
Others	12%
	<u>100%</u>

FINANCIAL IMPLICATIONS:

Reported investment earnings (excluding interest on rates arrears) at \$572,000, after Trust Account adjustments, were \$145,000 above budget in January 2015.

COMMENTS

The City continues to adhere to its policy of obtaining the best returns commensurate with risk and the constraints imposed by State Government regulations. In its position statement submitted in respect of the proposed City of Perth Act, the City has requested the inclusion of provisions so that it can better achieve its objective, where appropriate, of matching longer term investments with longer term capital expenditure requirements and having the flexibility to increase returns by, for example, investing in bank securities with terms exceeding twelve months.

SCHEDULE 1

INVESTMENT REPORT	Market Value	Market Value	Cost & Impairment	% of	Interest Earned	Weighted Average Monthly	Interest Earned
31-Jan-15	31-Dec-14	31-Jan-15	31-Jan-15	Class	Jan	Rate	YTD
Municipal							
Short term Direct Investments							
Call	\$1,740,252	\$3,585,730	\$3,585,730	2.5%	\$10,662	3.00%	\$113,706
Term Deposits	\$68,800,000	\$62,300,000	\$62,300,000	43.3%	\$198,498	3.65%	\$1,371,205
Short	\$70,540,252	\$65,885,730	\$65,885,730		\$209,160	3.62%	\$1,484,910
Total Municipal - Cash Back Securities	\$70,540,252	\$65,885,730	\$65,885,730		\$209,160	3.62%	\$1,484,910
Total Municipal Investments	\$70,540,252	\$65,885,730	\$65,885,730		\$209,160	3.62%	\$1,484,910
Reserves							
Short term Direct Investments							
Call	\$318,586	\$315,076	\$315,076	0.2%	\$467	1.40%	\$9,860
Term Deposits	\$65,750,000	\$65,250,000	\$65,250,000	45.4%	\$198,057	3.64%	\$1,456,176
Total	\$66,068,586	\$65,565,076	\$65,565,076		\$198,524	3.63%	\$1,466,036
Floating Rate Notes/ CLNs							
WPAC- Sub Debt - FRN	3,016,890	3,015,480	\$3,003,655	2.1%	\$10,385	4.17%	\$74,676
Total	\$3,016,890	\$3,015,480	\$3,003,655		\$10,385	4.17%	\$74,676
Medium term Direct Investments							
Barclays - Emerald - MBS	2,822,369	2,821,009	\$2,675,582	1.9%	\$13,050	3.60%	\$91,012
Total	\$2,822,369	\$2,821,009	\$2,675,582		\$13,050	3.60%	\$91,012
Total Reserve - Cash Back Securities	\$71,907,845	\$71,401,565	\$71,244,313		\$221,959	3.66%	\$1,631,724
Balanced Funds							
Colonial Share Index	\$3,995,631	\$4,126,024	\$4,126,024	100%	\$130,313	46.32%	\$227,056
Total	\$3,995,631	\$4,126,024	\$4,126,024		\$130,313	46.32%	\$227,056
Total Reserve Investments	\$75,903,476	\$75,527,588	\$75,370,337		\$352,271	5.58%	\$1,858,780
Trust							
Short term Direct Investments							
Call	\$385,214	\$371,921	\$371,921	0.3%	\$443	1.40%	\$3,421
Term Deposits	\$6,272,975	\$6,280,149	\$6,280,149	4.4%	\$18,311	3.51%	\$129,193
Total	\$6,658,190	\$6,652,070	\$6,652,070		\$18,754	3.46%	\$132,614
Total Trust - Cash Back Securities	\$6,658,190	\$6,652,070	\$6,652,070		\$18,754	3.46%	\$132,614
Total Investments-Cash Back Securities	\$149,106,286	\$143,939,364	\$143,782,113		\$449,873	3.63%	\$3,249,248
Grand Total Investments	\$153,101,917	\$148,065,388	\$147,908,136		\$580,185	4.63%	\$3,476,304

INVESTMENT RATES:

CASH RATE
2.50%

BENCHMARK
3.00%

AVERAGE excl.Trust
4.85%

CITY OF PERTH - SHORT TERM INVESTMENTS (Excluding Call) AS AT 31 JANUARY 2015

FUND	INSTITUTION	TYPE	AMOUNT	RATE	LODGED	MATURITY	Total	TOTAL INTEREST
							Investment Days	individual outstanding investment
MUNICIPAL	AMP	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	3.70%	7/08/2014	30/04/2015	266	\$ 53,928.77
MUNICIPAL	ANZ	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	3.49%	13/10/2014	14/04/2015	183	\$ 52,493.42
MUNICIPAL	ANZ	Short Term Direct Investments TERM DEPOSITS	\$ 2,500,000.00	3.64%	18/09/2014	15/04/2015	209	\$ 52,106.85
MUNICIPAL	BANKWEST	Short Term Direct Investments TERM DEPOSITS	\$ 1,500,000.00	3.35%	21/01/2015	23/03/2015	61	\$ 8,397.95
MUNICIPAL	BANKWEST	Short Term Direct Investments TERM DEPOSITS	\$ 5,000,000.00	3.40%	28/10/2014	30/04/2015	184	\$ 85,698.63
MUNICIPAL	BANKWEST	Short Term Direct Investments TERM DEPOSITS	\$ 1,500,000.00	3.50%	26/11/2014	28/05/2015	183	\$ 26,321.92
MUNICIPAL	BENDIGO	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	3.57%	15/08/2014	27/02/2015	196	\$ 57,511.23
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 6,000,000.00	3.60%	8/08/2014	29/05/2015	294	\$ 173,983.56
MUNICIPAL	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	3.45%	30/01/2015	31/07/2015	182	\$ 51,608.22
MUNICIPAL	ING	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	3.55%	14/08/2014	20/02/2015	190	\$ 55,438.36
MUNICIPAL	ING	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	3.56%	21/08/2014	27/02/2015	190	\$ 37,063.01
MUNICIPAL	ING	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	3.55%	19/08/2014	23/03/2015	216	\$ 63,024.66
MUNICIPAL	ING	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	3.54%	14/08/2014	31/03/2015	229	\$ 66,629.59
MUNICIPAL	ING	Short Term Direct Investments TERM DEPOSITS	\$ 2,500,000.00	3.55%	15/08/2014	22/04/2015	250	\$ 60,787.67
MUNICIPAL	ING	Short Term Direct Investments TERM DEPOSITS	\$ 2,500,000.00	3.50%	7/10/2014	30/06/2015	266	\$ 63,767.12
MUNICIPAL	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 4,000,000.00	3.61%	21/07/2014	23/03/2015	245	\$ 96,926.03
MUNICIPAL	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	3.46%	14/11/2014	31/03/2015	137	\$ 25,973.70
MUNICIPAL	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	3.52%	23/09/2014	30/04/2015	219	\$ 42,240.00
MUNICIPAL	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 1,800,000.00	3.50%	4/12/2014	4/06/2015	182	\$ 31,413.70
MUNICIPAL	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	3.63%	25/07/2014	22/06/2015	332	\$ 66,036.16
MUNICIPAL	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	3.52%	22/10/2014	30/06/2015	251	\$ 72,618.08
MUNICIPAL	SUNCORP	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	3.60%	24/11/2014	21/05/2015	178	\$ 35,112.33
MUNICIPAL	SUNCORP	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	3.55%	16/12/2014	18/06/2015	184	\$ 35,791.78
			\$ 62,300,000.00					
RESERVES	AMP	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	3.60%	23/12/2014	22/06/2015	181	\$ 53,556.16
RESERVES	ANZ	Short Term Direct Investments TERM DEPOSITS	\$ 3,500,000.00	3.64%	8/09/2014	7/03/2015	180	\$ 62,827.40
RESERVES	BANKWEST	Short Term Direct Investments TERM DEPOSITS	\$ 1,000,000.00	3.40%	6/11/2014	5/02/2015	91	\$ 8,476.71
RESERVES	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 2,500,000.00	3.60%	14/08/2014	12/03/2015	210	\$ 51,780.82
RESERVES	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 1,000,000.00	3.50%	8/01/2015	9/04/2015	91	\$ 8,726.03
RESERVES	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	3.60%	4/12/2014	4/06/2015	182	\$ 35,901.37
RESERVES	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 5,000,000.00	3.75%	4/06/2014	4/06/2015	365	\$ 187,500.00
RESERVES	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 2,550,000.00	3.60%	9/12/2014	11/06/2015	184	\$ 46,277.26
RESERVES	ING	Short Term Direct Investments TERM DEPOSITS	\$ 3,500,000.00	3.54%	20/08/2014	20/02/2015	184	\$ 62,459.18
RESERVES	ING	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	3.51%	8/10/2014	9/04/2015	183	\$ 35,196.16
RESERVES	ING	Short Term Direct Investments TERM DEPOSITS	\$ 6,000,000.00	3.55%	21/10/2014	30/06/2015	252	\$ 147,057.53
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 6,000,000.00	3.60%	31/07/2014	9/02/2015	193	\$ 114,213.70
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	3.68%	23/04/2014	17/02/2015	300	\$ 90,739.73
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 2,500,000.00	3.60%	29/08/2014	27/02/2015	182	\$ 44,876.71
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 1,550,000.00	3.55%	10/09/2014	9/04/2015	211	\$ 31,808.97
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 1,000,000.00	3.70%	16/04/2014	16/04/2015	365	\$ 37,000.00
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 2,750,000.00	3.61%	4/09/2014	7/05/2015	245	\$ 66,636.64
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 1,500,000.00	3.50%	8/12/2014	11/06/2015	185	\$ 26,609.59
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 3,000,000.00	3.60%	21/08/2014	22/06/2015	305	\$ 90,246.58
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 1,500,000.00	3.50%	23/12/2014	25/06/2015	184	\$ 26,465.75
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	3.48%	22/01/2015	23/07/2015	182	\$ 34,704.66
RESERVES	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 3,900,000.00	3.51%	26/11/2014	31/07/2015	247	\$ 92,635.15
RESERVES	SUNCORP	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	3.55%	10/10/2014	9/04/2015	181	\$ 35,208.22
RESERVES	SUNCORP	Short Term Direct Investments TERM DEPOSITS	\$ 2,500,000.00	3.60%	24/11/2014	21/05/2015	178	\$ 43,890.41
			\$ 65,250,000.00					
ROD EVANS	WPAC	Short Term Direct Investments TERM DEPOSITS	\$ 300,133.20	3.30%	28/10/2014	26/02/2015	121	\$ 3,283.37
TRUST	BQLD	Short Term Direct Investments TERM DEPOSITS	\$ 2,000,000.00	3.45%	13/11/2014	13/03/2015	120	\$ 22,684.93
TRUST	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 500,000.00	3.45%	25/11/2014	26/02/2015	93	\$ 4,395.21
TRUST	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 1,250,000.00	3.50%	25/09/2014	26/03/2015	182	\$ 21,815.07
TRUST	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 1,500,000.00	3.45%	8/01/2015	9/04/2015	91	\$ 12,902.05
TRUST	NAB	Short Term Direct Investments TERM DEPOSITS	\$ 730,016.25	3.50%	8/01/2015	9/07/2015	182	\$ 12,740.28
			\$ 6,280,149.45					
TOTAL investments			\$ 133,830,149.45					\$ 2,827,488.40

31-Jan-15

INSTITUTION CREDIT AND RATING

INSTITUTION	AMOUNT	PERCENTAGE	CREDIT RATING	MAX AMOUNT
ANZ	13,272,725.79	9%	A1+	OK
AMP	5,000,000.00	3%	A1	OK
ING	27,500,000.00	19%	A1	OK
BOQLD	24,050,000.00	16%	A1	OK
BANKWEST	9,000,000.00	6%	A1+	OK
BARCLAYS	2,675,582.31	2%	NR	OK
C B A	-	0%	A1+	OK
CITIBANK	-	0%		#N/A
BENDIGO	3,000,000.00	2%	A2	OK
HBS	-	0%		#N/A
HSBC	-	0%		#N/A
MACQUARIE	0.00	0%	A1	OK
MEQUITY	0.00	0%	A2	OK
NAB	47,480,016.25	32%	A1+	OK
ST GEORGE	-	0%	A1+	OK
SUNCORP METWAY	8,500,000.00	6%	A1	OK
WESTPAC	3,303,788.27	2%	A1+	OK
COLONIAL	4,126,023.61	3%	NR	OK
TOTAL	147,908,136.23	100%		

GLOBAL CREDIT EXPOSURE

INSTITUTION	AMOUNT	PERCENTAGE	MAX ALLOWED
A1+, A1, AA	138,106,530.31	93%	100%
A2	3,000,000.00	2%	60%
A3 and Unrated	6,801,605.92	5%	10%
TOTAL	147,908,136.23	100%	

A1+	45%	INDIVIDUAL ADI EXPOSURE ALLOWED
A1	45%	
A2	40%	
A3	10%	
AAA	45%	
AA	45%	
Unrated	10%	

ITEM NO: 2

DISPOSAL OF ASSETS AS A CONTRIBUTION TO THE ELIZABETH QUAY PROJECT

RECOMMENDATION: (APPROVAL)

That Council:

- 1. approves the disposal of assets valuing \$2,409,687.54 associated with the Metropolitan Redevelopment Authority Elizabeth Quay Project by way of a contribution;**
- 2. notes the retrospective removal of assets valuing \$87,328.27 from the City's records following Council approval in November 2011 (674/11) for the Metropolitan Redevelopment Authority Elizabeth Quay Project then termed Perth Waterfront Project;**
- 3. notes the retention of assets valuing \$1,158,257.61 from within the Metropolitan Redevelopment Authority Elizabeth Quay Project for future use or consideration for disposal.**

BACKGROUND:

FILE REFERENCE: P1029777#09
REPORTING OFFICER: Karen Caple, A/Coordinator Asset Management
RESPONSIBLE DIRECTOR: Doug Forster, Director City Infrastructure & Enterprises
DATE: 2 February 2015
MAP / SCHEDULE: Schedule 2 – Map of EQ Project Precinct and Lot Boundaries

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation Section 3.58 of the *Local Government Act 1995*
Part 6 of the *Local Government (Functions and General Regulations) 1996*

Integrated Planning and Reporting Framework Implications **Corporate Business Plan**
Council Four Year Priorities: Major Strategic Investments and Living in Perth
S1 Ensure that major developments effectively integrate into the city with minimal disruption and risk.

- 1.1 Coordination of interface with major projects and new precincts currently under construction including logistics planning
- S9 Promote and facilitate CBD living.
- 9.3 Enhance and maintain public spaces and streets to high standards to ensure the city centre is an attractive place for people.

Organisational Development Plan:

- G3 Governance - Strategic Financial Management

Policy 9.14 – Disposal of Property Policy

At its meeting held on **8 November 2011**, Council received a report regarding the Perth Waterfront Project which had been endorsed by the Finance and Budget Committee at its meeting held on 1 November 2011. Council, at the meeting held on **8 November 2011**, made the following resolution:

“That the Council:

1. *approves in principle, the State Government taking by agreement Lot 79 The Esplanade, Lots 901 and 302 Riverside Drive, and associated assets including the Alan Green Conservatory, The Landing, Alf Curlewis Gardens and the Florence Hummerston building, for the purposes of developing the Perth Waterfront Project, subject to an “Agreement Regarding Taking and Compensating – Perth Esplanade Reserve and Associated Land”, attached as confidential Schedule 4, being negotiated and signed by the City and the State Government, prior to 1 March 2012;*
2. *authorises the Chief Executive Officer to sign the application for the approval to commence development and for sub-division approval, subject to the State Government agreeing not to undertake any development until such time as the title has been transferred;*
3. *notes that Lot 79 The Esplanade is land owned in fee simple title by the City of Perth for recreation purposes.”*

DETAILS:

The report considered by Council at its meeting held **8 November 2011**, noted that the property and assets were valued at a total book value of \$2,835,848, with the land component being \$195,150 as determined by the Valuer General’s Office.

Upon this resolution of Council, the write off of associated assets was to have been undertaken for Lot 79 The Esplanade and Lots 901 and 302 Riverside Drive in addition to the land and buildings as identified. It has come to the attention of Officers that not all of these assets were disposed of ‘from the books’ as per the recommendation of Council and remain listed within the City’s Asset Management and Financial Systems.

Staff have undertaken a due diligence exercise of all assets impacted by the Elizabeth Quay (EQ) Project. A map of the EQ Project including Lot Boundaries is provided as Schedule 2 for reference.

In summary, the following assets remain listed and need to be disposed of in relation to Council report presented at **8 November 2011** Council Report as outlined in Table 1 below:

- Lot 79 The Esplanade – 17 assets with a written down value of \$19,991.30;
- Lot 901 Riverside Drive – 15 assets with a written down value of \$44,129.16; and
- Buildings and Furniture/ Equipment for The Landing – 3 assets with a written down value of \$23,207.81.

Table 1 – Assets to be disposed of resulting from November 2011 Council Decision

Lot 79: Asset Type	Asset Count	Written Down Value
Drainage	11	\$ 5,245.03
Parks and Landscapes	1	\$ 0.00
Street Furniture	1	\$ 0.00
Footpath	4	\$ 14,746.27
Sub-Total	17	\$ 19,991.30
Lot 901: Asset Type	Asset Count	Written Down Value
Drainage	8	\$ 28,809.93
Signs	1	\$ 0.00
Footpath	2	\$ 14,224.35
Parks and Landscapes	4	\$ 1,094.88
Sub-Total	15	\$ 44,129.16
The Landing and The Esplanade Reserve: Asset Description	Asset Count	Written Down Value
Landing Sign and Plaques	1	\$ 5,378.36
Air conditioning the Landing	1	\$ 1,083.08
Flooring the Landing	1	\$ 16,746.37
Sub-Total	3	\$ 23,207.81
Total	35	\$ 87,328.27

In February 2014 under delegation, a small number of assets from the EQ Project site were approved for disposal as an interim measure, being 69 assets with a written down value of \$197,739 (refer to Table 2 below).

Table 2 – Assets disposed of under Delegation February 2014

Asset Class	Asset Count	Written Down Value
Infrastructure - Lights	20	\$ 10,352
Infrastructure - Roads	3	\$ 3,919

Asset Class	Asset Count	Written Down Value
Infrastructure - Paths	6	\$ 40,925
Infrastructure – Parks and Landscape	20	\$ 114,429
Infrastructure - Street Furniture	14	\$ 27,514
Information Technology - Compliance	6	\$ 600
TOTAL	69	\$ 197,739

Further to these previously approved assets for disposal and as the EQ Project has progressed significantly, more assets are now required to be approved for disposal. Given the quantum and value of assets identified for disposal a Council Decision is required under Policy 9.14 Disposal of Property. Table 3 summarises the assets being sought for disposal approval and the subject of this Council Report.

Table 3 – Assets to be disposed of, subject of this Council Report

Asset Class	Asset Count	Written Down Value
Infrastructure - Drainage	60	\$ 160,462.15
Infrastructure - Paths	51	\$ 1,076,378.49
Infrastructure - Parks and Landscape	12	\$ 404,585.56
Infrastructure - Roads	37	\$ 661,727.96
Infrastructure - Street Furniture	83	\$ 23,410.46
- Traffic Control Devices	7	\$ 83,122.92
Total	250	\$ 2,409,687.54

In addition a number of assets remain separate and not considered for disposal at this point in time. Either the assets have been removed and kept for possible future use termed 'Inventoried' (refer to Table 4 below) or some assets remain within the perimeter of the precinct or project, such as lighting and drainage, and may possibly be reconnected and reutilised as part of the ongoing works, or indeed not affected, so these assets have been termed retained assets Pending Decision (refer to Table 5 below).

Table 4 – Assets to be Inventoried (not for disposal)

Asset Class	Asset Count	Written Down Value
Infrastructure - Lights	19	\$ 11,907.72
Infrastructure - Street Furniture	24	\$ 11,056.19
Infrastructure- Parks & Landscape	21	\$ 19,492.60
Art	5	\$ 332,139.36
Total	69	\$ 374,595.87

Table 5 – Assets to be retained Pending Decision

Asset Class	Asset Count	Written Down Value
Infrastructure - Drainage	76	\$ 260,650.11
Infrastructure - Lights	24	\$ 13,250.02
Infrastructure - Roads	29	\$ 455,734.99
Buildings	1	N/A
Infrastructure – Paths	1	\$ 22,995.94
Infrastructure- Parks & Landscape	2	\$ 2,073.16
Infrastructure - Street Furniture	18	\$ 28,957.52
Total	151	\$ 783,661.74

Therefore by way of summary of asset number and value associated with the EQ Project precinct (refer to Schedule 2):

- 35 assets with a written down value of \$87,328.27 need to be retrospectively removed from the asset registers (finance and asset management systems) as approved in November 2011;
- 69 assets with a written down value of \$197,739 were approved in February 2014 for disposal under Delegated Authority;
- 250 assets with a written down value of \$2,409,687.54 are the subject of this Report and approval for disposal is being sought; and
- 220 assets with a combined written down value of \$1,158,257.61 being retained for possible future use or consideration for disposal via either being 'inventoried or pending decision'.

FINANCIAL IMPLICATIONS:

The retrospective removal from the asset registers of those assets previously approved for disposal in November 2011 (Council Report 674/11) has a causal impact of \$87,328.27 as a combined written down value in 2014/15 financial year.

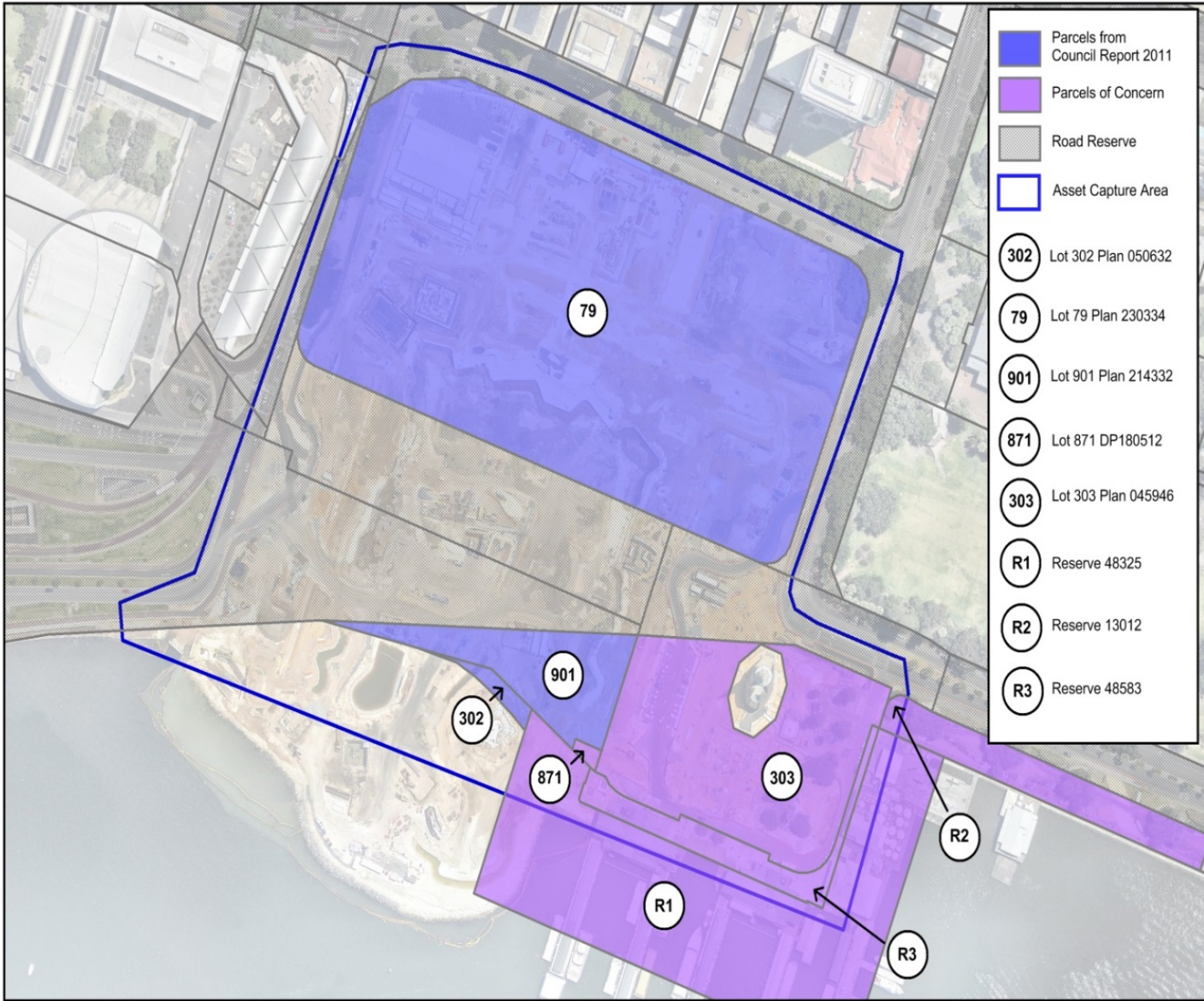
The subject of this report has a written down value impact of \$2,409,687.54 when using the values from Hansen8, the City's asset management system as at 5 January 2015.

This asset disposal is a significant contribution by the City to the MRA's Elizabeth Quay Project.

COMMENTS:

Approval is sought to dispose of infrastructure assets associated with the MRA Elizabeth Quay Project with a written down value of \$2,409,687.54 in this financial year 2014/15. It is noted that Council previously approved the transfer of land and buildings and the disposal of some assets in November 2011 to initiate the Perth Waterfront Development, now called Elizabeth Quay.

Some assets will remain on the asset registers of the City, as they may be used in forthcoming project elements, reused in other City projects or may be considered for disposal if not suitable for use.



SCHEDULE 2

ITEM NO: 3

UNBUDGETED EXPENDITURE – VASTO BUSINESS AND TRADE MISSION TO PERTH

RECOMMENDATION:

(APPROVAL)

That Council approves by AN ABSOLUTE MAJORITY, unbudgeted expenditure of a maximum of \$20,000 to support delegates from Vasto, Italy to travel to Perth to participate in a business and trade mission.

BACKGROUND:

FILE REFERENCE: P1001701-4
REPORTING OFFICER: Steven McDougall, A/Manager Economic Development
RESPONSIBLE DIRECTOR: Martin Mileham, Director City Planning and Development
DATE: 6 February 2015
MAP / SCHEDULE: N/A

In 2014 the City of Perth celebrated the 25th anniversary of its Sister City relationship with the City of Vasto in the Abruzzi region of Italy.

As part of the celebration of this relationship milestone, the Lord Mayor led a delegation of City representatives on a visit to Vasto in May 2014, the purpose of which was to renew the bonds of friendship between the two cities and participate in several civic ceremonies.

During a meeting with representatives from the AssoVasto business community, the Lord Mayor and the Chief Executive Officer discussed a proposal to enable Vastese business representatives to undertake a trade mission to Perth to investigate potential business opportunities and strengthen economic ties between Perth and Vasto.

LEGISLATION / STRATEGIC PLAN / POLICY:

Integrated Planning and Reporting Framework Implications

Corporate Business Plan

Council Four Year Priorities: Perth as a Capital City
S6 Maintain a strong profile and reputation for Perth as a city that is attractive for investment.

DETAILS:

Under this proposal, the City of Perth will contribute a maximum of \$20,000 towards the airfare and accommodation costs of several Vasto business representatives to travel to Perth to explore potential business opportunities.

The City of Vasto will be responsible for selecting the business representatives that will travel to Perth and will inform the City of Perth of their recommended nominees.

In addition to the financial contribution, it is intended that the City will provide the visiting business delegates with assistance in establishing meetings and briefing sessions with various industry representatives and stakeholders.

FINANCIAL IMPLICATIONS:

There are no funds currently allocated to facilitate this initiative in the Economic Development Unit 2014/15 Budget.

However, it may be possible to allocate savings, specifically from the International Engagement budget, from the February 2015 Budget Review towards this initiative.

If not, the Economic Development Unit will require an additional funding allocation to meet the costs associated with this initiative.

COMMENTS:

Historically, the City's relationship with Vasto has been categorised as primarily based on historic and cultural ties, with significant numbers of migrants from Vasto and the surrounding region settling in Perth.

This proposed initiative adheres to several of the guiding principles of the City's recently adopted International Engagement Strategy in that it will strengthen trade connections, assist with developing a closer relationship with one of the city's Sister Cities and help to promote the City internationally.

It is intended that this initiative will assist in broadening the relationship between Perth and Vasto to include business and trade aspects. It is also considered an appropriate way to commemorate the 25th anniversary of the Sister City relationship between the two cities.

The merits of the initiative will be assessed and reported at the conclusion of the program.

ITEM NO: 4

ATTENDANCE AT THE INTERTRAFFIC CONFERENCE AND EXHIBITION ISTANBUL, TURKEY 27 – 29 MAY 2015

RECOMMENDATION

(APPROVAL)

That Council:

- 1. approves the Director City Infrastructure & Enterprises attending Intertraffic Conference and Exhibition Istanbul in May 2015;***
- 2. approves the following expenses for the Director City Infrastructure & Enterprises:***
 - 2.1 return economy class flight to Istanbul, Turkey;***
 - 2.2 accommodation to attend Intertraffic, related site visits and appropriate travel expenses.***

BACKGROUND:

FILE REFERENCE: P1000039-2
REPORTING OFFICER: Doug Forster, Director City Infrastructure & Enterprises
RESPONSIBLE DIRECTOR: Doug Forster, Director City Infrastructure & Enterprises
DATE: 9 February 2015
MAP / SCHEDULE: N/A

In accordance with Section 5.70(2) of the Local Government Act 1995, the author of this report, Mr Doug Forster, Director City Infrastructure and Enterprises, discloses a financial interest in relation to the report on the basis that he is the officer proposed to attend the conference.

The eighth edition of Intertraffic Istanbul is scheduled for 27 – 29 May 2015 in the Istanbul Expo Centre, Turkey. The event facilitates three days of global networking for traffic and parking professionals. It is expected that there will be over 200 exhibitors and over 5,000 local and international visitors all active in the fields of road infrastructure, traffic management, traffic safety and parking. Moreover, overall Smart mobility solutions will be featured.

The Chief Executive Officer has approved the Director City Infrastructure & Enterprises attending Intertraffic. However, given the international profile of

Intertraffic and that overseas travel is involved it was considered appropriate to inform the Council well in advance of the event.

LEGISLATION / STRATEGIC PLAN / POLICY:

Integrated Planning and Reporting Framework Implications

Corporate Business Plan

Council Four Year Priorities: Major strategic investments
S2 Optimise the commercial and community outcomes within the property portfolio.
S4 Enhanced accessibility in and around the City including parking.

Strategic Community Plan

Council Four Year Priorities: Community Outcome
S2.1 - Corporate Business Plan 2029
On-going promotion of City of Perth Parking (CPP) with a focus on having a healthy influence on parking options available to the community.

Policy

Policy No and Name: 12.7 – Staff Conference Attendance and Expenses

DETAILS:

Intertraffic will cover four main industry sections all being of relevance to the City's operations particularly infrastructure and enterprises:

Infrastructure <ul style="list-style-type: none">• Public lighting• Road construction, maintenance• Road equipment• Road markings• Street furniture• Consultancy and research• Remnant infrastructure	Safety <ul style="list-style-type: none">• Traffic signs and lights• Crash cushions in barriers• Emergency equipment• Consultancy and research• Speed restriction devices
Traffic management <ul style="list-style-type: none">• Communication• Telematics• Smart car technology• Warning systems	Parking <ul style="list-style-type: none">• Parking systems• Multi-storey car park development• Ticketing and barrier control• Enhance Control systems

<ul style="list-style-type: none">• Emergency systems• Urban planning• Consultancy and research	<ul style="list-style-type: none">• Visual systems• Consultancy and research
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In 2013 in excess of 200 exhibitors and 5,286 visitors attended Intertraffic. Some 26% of visitors were at Director / Owner / Managing Director level with a further 28% at Senior Management which gives an indication of the significance and relevance of the exhibition in particular.

Attendance at Intertraffic will further enhance the Director's development of a network of worldwide contacts related to traffic and parking issues in particular. Further benefits are gained with the ability to discuss solutions to issues and the bringing together of the private sector, knowledge institutions and public authorities thereby creating the opportunities for smarter solutions to these most important functions of the city.

It is also proposed where practical to visit a number of municipal and privately owned parking operators in order to ascertain what they might do which is better than the City of Perth and conversely share our information with them. For example, parking management operate local company ParkMe utilises Cloud based systems to simplify parking management.

A second company worth visiting will be Empark. Empark is the fourth largest parking company in Europe with many of their Smart solutions including valet parking, maximising on-street bay usage, payment by telephone and techniques to encourage out-of-hours parking.

The City's parking business including on-street parking earns some \$72 million per annum. Being recognised nationally and internationally as a contemporary leader in parking and the benefits which flow therefrom is largely due to reinvestment into operational and management improvements.

Travel

Following discussions with the Chief Executive Officer and should the Council approve the Director City Infrastructure & Enterprises attending Intertraffic, the attendance of an Elected Member may also be considered by Council.

Policy 12.7 Staff Conference Attendance and Expenses states:

- "6. where staff accompany the Lord Mayor or Councillors, the travel class will be that of the Lord Mayor or Councillors, as appropriate. In the case of international travel, Directors may travel Business Class;"*

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	CL-B21000-7911
BUDGET ITEM:	Overseas and local conference
BUDGET PAGE NUMBER:	39
BUDGETED AMOUNT:	\$ 51,300
AMOUNT SPENT TO DATE:	\$ 821
PROPOSED COST:	\$ 9,000 (using economy airfare)
BALANCE:	\$ 41,479

All figures quoted in this report are exclusive of GST.

Should the Council approve an Elected Member attending Intertraffic and the use of business class facilities, the estimated cost will be in the order of \$13,000 per person. Using economy travel the costs are in the order of \$9,000. Funds are available from savings within the office of City Infrastructure & Enterprises operating budget.

COMMENTS:

Intertraffic conference and exhibition is held every second year in the countries of the Netherlands, India, Turkey and China. The Chinese event for 2015 has already taken place.

Intertraffic is an opportunity to view and discuss technological, environment and management devices and systems to further enhance the City's Infrastructure performance and particularly that of the parking business.

ITEM NO: 5

DONATION – THE RETURNED AND SERVICES LEAGUE OF AUSTRALIA INCORPORATED (RSL WA) ANZAC DAY 2015 CENTENARY COMMEMORATIONS

RECOMMENDATION:

(APPROVAL)

That Council approves a cash donation of \$96,617 (excluding GST), pending receipt of final quotations, to the RSL WA Incorporated to assist with the costs associated with presenting the ANZAC Day Centenary Commemorations – Perth 2015 to be held in the City on Friday, 25 April 2015, noting that \$31,688 of this amount will be recoverable in fees and charges raised by the City.

BACKGROUND:

FILE REFERENCE: P1010627-28
REPORTING OFFICER: Elizabeth Napier, Manager Community Services
RESPONSIBLE DIRECTOR: Garry Dunne, Director City Services
DATE: 23 January 2015
MAP / SCHEDULE: N/A

The Returned and Services League of Australia WA Branch Incorporated (RSL WA) has applied to the City of Perth for financial assistance of \$96,617 to assist with costs associated with holding the ANZAC Day Centenary Commemorations in the city on Friday, 25 April 2015. The 2015 ANZAC Day celebrations are of special significance in the commemoration of the Centenary of the landing at Gallipoli with large numbers of people expected in the city to participate in the commemorative activities.

The predominant ANZAC Day commemorations in the city include the Perth Dawn Service at the State War Memorial in Kings Park, Gunfire Breakfast in Stirling Gardens, the ANZAC Day March through city streets, and the Commemoration Service at Supreme Court Gardens.

2015 marks the 100th year of the landing of the ANZACs at Gallipoli. More than one quarter, 32,231, of the Australian soldiers who volunteered to serve in the First World War 100 years ago were West Australian, the highest proportion of any State.

The centennial years range from 2014-2018 and have been celebrated by internationally covered commemorations such as the events staged in Albany. Other activities in the city involve the Cultural Centre where over the ANZAC weekend there will be number of visual displays and activities commemorating the war. The

Perth Festival Giants project from Friday, 13 February 2015 to Sunday, 15 February 2015 also significantly commemorates the centenary of ANZAC.

The City of Perth has provided an annual contribution to the staging of the annual ANZAC Day Commemorations through the provision of City services and contributing to associated costs. Prior to 2010, costs were met through the City's Parades and Festivals operational budget. ANZAC Day is now funded through the City's Donations and Sponsorship Program with amounts contributed as indicated:

2011/12	\$36,000
2012/13	\$44,940
2013/14	\$61,120
2014/15 Amount Requested / Proposed	\$96,617

In 2014 the RSL WA requested the City of Perth to assist with costs associated with staging the ANZAC Day commemorations in the city with additional funds for the saluting dais infrastructure in St Georges Terrace, extra banner display spaces in the malls, Irwin Street closure, and reserve hire.

LEGISLATION / STRATEGIC PLAN / POLICY:

Integrated Planning and Framework Implications	Corporate Business Plan 2013/14 to 2017/18
	Council Four Year Priorities: Healthy and Active in Perth
	S15 Reflect and celebrate the diversity of Perth
	S15.1 Support and deliver events that reflect and celebrate cultural diversity

Policy

Policy No and Name: 18.8 – Provision of Sponsorship and Donations

DETAILS:

The RSL WA is located at Anzac House, 28 St Georges Terrace, Perth. The association is a not for profit organisation formed in 1916 and since that time has been proactive in attending to the welfare needs of all ex-service and serving personnel with a particular focus on those in need or necessitous circumstances.

The RSL WA **Mission Statement** is:

"To ensure that programs are in place for the well-being, care, compensation and commemoration of serving and ex-service Defence Force members and their dependants. And to promote Government and community awareness of the need for a secure, stable and progressive Australia".

Objectives are:

"To serve the interests of its members, veterans, the ex-service community and members of the Australian Defence Force, the RSL executes its role by effectively implementing the following objectives which are in accord with the League's Mission Statement:

- Welfare.
- Advocacy and Representation.
- Assistance to all veterans and ex-servicemen and women regardless of their membership in the League.
- Commemoration and Remembrance.
- Participation in employment programs for veterans, ex-service members and their dependants.
- Commitment to democratic principles and practices.
- Provision of a means for members to enjoy camaraderie and mateship.
- Provision of effective and efficient management of RSL assets and resources for the benefit of its members and serving members of the ADF.
- Act as an effective lobby group to Government and its departments.
- Provision of moral and active support for the ADF. Australian Forces Overseas Fund distributes 2,500 parcels bi-annually.
- Provision of a respected and meaningful voice within the community and Australian society.
- Promotion of loyalty and pride which the League has for the Nation, its people, the Crown and the Flag".

The RSL WA has been managing the State's ANZAC Day commemorations since the 1920's and over the past 13 years has taken the State's most significant commemorative event in the city to new levels and increased both participation and attendance in all activities significantly. An event organiser is contracted by the RSL WA to plan the program for the major commemorative activities.

The 2015 ANZAC Day Centenary Commemorations include:

- ANZAC Day Dawn Service at the State War Memorial in Kings Park. A survey commissioned by the Department of Premier and Cabinet initially estimated attendance to be 95,000. This number has been amended to 65,000.
- ANZAC Day March and Commemoration Service. The organisers estimate attendance to be 45,000, 25,000 less than the initial estimate of 65,000.
- Gunfire Breakfast in Stirling Gardens held at the conclusion of the Dawn Service and preceding the commencement of the ANZAC Day March.
- 100 Years of ANZAC is a three day, day-time community event planned for the Cultural Centre that is focused on free family activities and entertainment that includes a range of live music, interactive children's activities, exhibitions, displays, dance, storytelling, circus, poetry, installations, stalls, screen activation

and food that are based on the overarching World War 1 theme with a focus on reflection, gratitude and education.

- The City of Perth Events Team plan to organise complementary activities in Forrest Place and the Northbridge Piazza with details yet to be finalised.
- Camp Gallipoli is described as a once in lifetime event to commemorate the centenary of the 25 April 1915 landing at Anzac Cove. In a series of historic locations around Australia and New Zealand, families, schools and community groups are invited to come together on the 100th anniversary of Gallipoli to sleep out under the same stars as the original Anzacs did 100 years ago. Ascot Racecourse is the Perth venue selected for Camp Gallipoli and proceeds from the sale of tickets will be directed to Legacy.

Funding

For the past 12 years Lotterywest has been the major funding body for ANZAC Day commemorations across the State by providing a grant for infrastructure and associated costs. For 2015 the contribution from the State Government and Lotterywest amounts to of \$1,500,000. The RSL WA will contribute around \$90,000.

The total cost to RSL WA for implementing Perth commemorations activities for ANZAC Day in the city is estimated to be \$846,000, a 38% increase on the total estimated cost of \$613,757 in 2014. The costs for the event provided by the applicant include Communications (\$105,000); Marketing and Collateral (\$61,000); Dawn Service (\$375,000); Gun Fire Breakfast (\$55,000); March - including ANZAC House infrastructure (\$90,000); Commemorative Service (\$140,000) and Sunset Services (\$20,000).

Over many years the City of Perth has supported commemoration activities for ANZAC Day. As in previous years, the RSL WA has requested the City meet the cost of its services supplied for the ANZAC Day in the city including:

City service fees and charges	Amount (excluding GST)
Irwin Street road closure and road reserve hire	\$4,921
Hire of Supreme Court Gardens	\$2,883
Hire of Stirling Gardens	\$1,345
CBD Streets (March) event day hire fee; road closure surcharge	\$194
Supreme Court Gardens (Commemorative Service) event day and bump in and out costs; public place hire; retail outlet and plant; on site vehicles; 3 phase power	\$2,883
Banner hire along St Georges Terrace, Adelaide Terrace, Hay Street Mall, Murray Street Mall, Forrest Place, William Street Wellington Street and Barrack Street from Sunday 12 April to Sunday 26 April 2015	\$9,115
Reservation of on-street parking bays	\$4,364

Contingency allowance (administration charges, damage restoration to reserves, special clean ups and other services requested by the City)	\$2,000
Administration Charge	\$296
Health Fees	\$987
Provision of Bins	\$2,700
Total City Service fees and charges	\$31,688
Other assistance requested	
Traffic Management costs (private contractor)	\$64,929
Total Requested	\$96,617

For 2015 the RSL WA has requested the City of Perth assist with additional costs associated with Centennial that include:

- Increased traffic management costs due to increased road closures in the city and Kings Park to provide additional safety to pedestrians; and
- Additional banner spaces being hired for two weeks in Barrack and Wellington Streets.

In 2014 the City contributed a significant increase (36%) in donation funds as outlined:

- Additional funds of \$12,000 for the saluting stage & associated infrastructure in St Georges Terrace;
- \$6,779 for the Irwin Street closure and road reserve hire fees to allow for refreshment marquee to operate next to ANZAC House.
- Additional banner spaces being hired for two weeks in the Hay Street Mall, Murray Street Mall and Forrest Place at a cost of \$1,87; and
- Contingency allowance of \$2,718 for unforeseen costs for damage restoration to reserves, special clean ups and other services requested by the City.

Acknowledgement of the City of Perth

The City of Perth support is acknowledged in supporting the event by:

- An invitation for the Lord Mayor to lay a wreath at the memorial and attend the commemoration service
- The City of Perth crest appearing in related newspaper and other advertisements promoting ANZAC Day, Order of Proceedings Program and in the screen content at Kings Park and Supreme Court Gardens during proceedings and on the RSL (WA) website and Facebook coverage.

FINANCIAL IMPLICATIONS:

ACCOUNT NO:	CL 29B26000
BUDGET ITEM:	Other Property and Services – Unclassified – Other Unclassified
BUDGET PAGE NUMBER:	5
BUDGETED AMOUNT:	\$118,704 (\$62,000 allocated to Anzac Day)
AMOUNT SPENT TO DATE:	\$ 22,430
PROPOSED COST:	\$ 96,617
BALANCE:	\$ (343)

The City of Perth has been requested to contribute \$96,617 to the 2015 ANZAC Day Commemorative event. The increase is mostly due to traffic management costs for the March and Dawn Service quoted as costing \$64,929, inclusive of costs for the additional road closure in 2015 of Kings Park Road. In 2014 the traffic management costs were quoted as \$24,037 but the actual costs were \$46,280.

All figures quoted in this report are exclusive of GST.

COMMENTS:

Each year on 25 April people throughout Australia and overseas gather to pay their respects to all Australians who served and died in all wars, conflicts and peacekeeping campaigns and to honour and remember the sacrifices of the original ANZACs. The 2015 Centennial Commemoration will be a special event in the city as it is nationally.

ITEM NO: 6

ADOPTION – CITY OF PERTH PARKING AMENDMENT LOCAL LAW 2015

RECOMMENDATION: (APPROVAL)

That Council:

- 1. notes that no submissions were received in response to the public notice period for the proposed City of Perth Parking Amendment Local Law 2014;***
- 2. notes the suggestions received from the Department of Local Government and Communities after the close of the public submission period in response to the public notice period as detailed in this report titled “Adoption – City of Perth Parking Amendment Local Law 2015”;***
- 3. in accordance with Section 3.12(4) of the Local Government Act 1995, BY AN ABSOLUTE MAJORITY makes the City of Perth Parking Amendment Local Law 2015 as detailed in Schedule 5;***
- 4. in accordance with Section 3.12(6) of the Local Government Act 1995, gives local public notice of the City of Perth Parking Amendment Local Law 2015.***

BACKGROUND:

FILE REFERENCE: P1010030-6
REPORTING OFFICER: Gemma Carlucci, Governance Officer
RESPONSIBLE DIRECTOR: Robert Mianich, Director Corporate Services
DATE: 9 February 2015
MAP / SCHEDULE: Schedule 3 – Advertised Proposed City of Perth Parking Amendment Local Law 2014 including DLGC suggestions
Schedule 4 – *City of Perth Parking Local Law 2010* showing the effect of the proposed Amendment Local Law 2015
Schedule 5 – Revised Proposed City of Perth Parking Amendment Local Law 2015

At its meeting held on **14 December 2010**, Council resolved to make the *City of Perth Parking Local Law 2010*. Following publication in the *Government Gazette* and its subsequent commencement, correspondence was received from Parliament's Joint Standing Committee on Delegated Legislation (JSCDL) seeking clarification in relation to several provisions within the local law.

The JSCDL required that Council provide undertakings to review its concerns otherwise it would propose to move a disallowance motion in the Legislative Council in relation to the local law. As a result, at its meeting held on **27 April 2011**, Council approved the giving of undertakings to address the issues raised by the JSCDL. Subsequent to these undertakings, correspondence received by the JSCDL required Council to provide further undertakings which was approved by Council at its meeting held on **7 June 2011**.

At its meeting held on **6 December 2011**, Council resolved to make the *City of Perth Amendment Local Law 2011* which gave effect to the matters within all the required undertakings.

At its meeting held on **6 August 2013**, Council resolved to make the *City of Perth Amendment Local Law 2013* which addressed minor drafting issues and applied increases to modified penalties in regards to clearways.

Both amendment local laws, together with the originally made local law, constitute the Principal Local Law.

In Council's adoption of the *City of Perth Parking Local Law 2010* and subsequent amendments in 2011 and 2013, many of the modified penalties remained unchanged since 2004.

To address drafting issues within the Principal Local Law affecting its application and interpretation in the contemporary environment, and to increase selected penalties to act as appropriate deterrents, in accordance with Sections 3.12(3) of the *Local Government Act 1995*, Council resolved the giving of State-wide public notice of its intention to make the *City of Perth Parking Amendment Local Law 2014* at its meeting held on **9 December 2014**.

It is to be noted that penalties in relation to parking offences which cause disruption to traffic flows and inconvenience members of the public are proposed to be increased to a maximum of \$200 as current penalties in relation to this matter are not considered sufficient to deter drivers. Furthermore, all penalties currently prescribed as \$50 are proposed to be increased to \$60 based on the fact that these penalties have not been adjusted in eleven years and the value of the deterrent factor is considered to have eroded by inflation over this time.

A State-wide public notice was published in *The West Australian* on 12 December 2014, and exhibited on the City's notice boards, the City of Perth website and through social media via the City's Facebook and Twitter accounts, seeking public submissions on the proposed Amendment Local Law.

In accordance with Section 3.12(4) of the *Local Government Act 1995*, after the last day for submissions, Council is required to consider any submissions received and may resolve by an absolute majority to make the local law or to make a local law that is not significantly different from the proposed Amendment Local Law as advertised.

Further, in accordance with Section 3.12(5) and (6) of the Act the City will subsequently be required to undertake the following to finalise this Local Law amendment:

- Publish the Amendment Local Law in a *Government Gazette*;
- Provide a copy of the Gazette to the Local Government Minister (and any other relevant Minister); and
- After this, publish a local public notice advising the title of the Local Law, its purpose and effect, the day on which it becomes effective and advising that it may be inspected at the local government's offices.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation	Section 3.12 of the <i>Local Government Act 1995</i> <i>City of Perth Parking Local Law 2010</i>
Integrated Planning and Reporting Framework Implications	Corporate Business Plan Council Four Year Priorities: Community Outcome Capable and Responsive Organisation A capable, flexible and sustainable organisation with a strong effective governance system to provide leadership as a capital city and deliver efficient and effective community centred services.

DETAILS:

No public submissions were received during the public notice period which closed on Friday, 30 January 2015.

The Department of Local Government and Communities (DLGC) provided comments/suggestions on the advertised Amendment Local Law on Thursday, 5 February 2015 (after the close of the public submission period). The majority of the DLGC comments relate to adjusting the drafting to ensure alignment with current legislative practice.

The DLGC's suggestions and the Officer responses are detailed in the table below.

Clause	DLG Suggestions	Officer Response
Title & citation Clause	Given that the Amendment Local Law will be published in 2015, it is suggested to amend the title and citation Clause to "City of Perth Parking Amendment Local Law 2015".	Noted and incorporated into the proposed Amendment Local Law.

Clause	DLG Suggestions	Officer Response
Clause 5	<p>Legislation citation titles in the proposed definitions for “disability parking permit” and “parking bay for people with disabilities” are incorrect. It is suggested that the citation title be replaced with “<i>Local Government (Parking for People with Disabilities) Regulations 2014</i>”.</p> <p>Minor edits:</p> <ul style="list-style-type: none"> • In the first line after “Clause 1.4” insert “is”; • In paragraph (a) after “Delete” insert “the”; • In paragraph (d) replace “includes written or electronic” with “and includes both written and electronic permits”; 	<p>Noted and incorporated into the proposed Amendment Local Law.</p> <p>Noted and incorporated into the proposed Amendment Local Law.</p>
Clause 7	<p>Minor edits:</p> <p>Clause 7 and clause 13 should have a consistent format.</p>	<p>Noted and incorporated into the proposed Amendment Local Law.</p>
Clause 8	<p>Minor edits:</p> <ul style="list-style-type: none"> • In paragraph (a), at the end of the first line, replace the colon with a dash; • In paragraph(a)(i), at the end of the subparagraph, insert “and”; • In paragraph (a)(ii), at the end of the subparagraph, insert “and”. 	<p>Noted and incorporated into the proposed Amendment Local Law.</p> <p>Noting the DLGC’s drafting suggestions for Clause 8, the same approach has been applied to Clauses 6 and 11.</p>
Clause 13	<p>Minor edits:</p> <p>Replace “part 6 title” with “PART 6 – RESIDENTIAL PARKING”.</p>	<p>Noting DLGC’s suggestion, Offices re-drafted Clause 13 as follows:</p> <p>Delete the words “RESIDENTIAL PARKING” and insert “PARKING PERMITS”.</p>
Clause 14	<p>Minor edits:</p> <p>In proposed clause 6.9(4) in the final line, replace “happening” with “occurrence”.</p>	<p>Noted and incorporated into the proposed Amendment Local Law.</p>

Clause	DLG Suggestions	Officer Response
<p>Clause 15</p>	<p>The City should double check the references in Schedule 2 and ensure the "Offence Clauses" accurately reflects the offence in the relevant clause.</p> <p>Minor edits:</p> <ul style="list-style-type: none"> • The City should consider adding a column which assigns an item number to each line in the Schedule table. This will make it easier for the City to amend the Schedule, since the City can refer to specific items rather than replacing the entire Schedule. • In the line for clause 2.6(b) change the offense description to "Failing to park at right angles to centre of carriageway". • Each page of the Schedule contains a separate title. These additional titles are unnecessary and can be removed. 	<p>Noting DLGC's suggestion, Officers have re-drafted "Schedule 2" so to remove the "Offence Clauses" column from the table. It is noted that "Offense Clause" descriptors are only summaries of Clauses in the Principal Local Law therefore are ambiguous and do not accurately reflect relevant Clauses.</p> <p>Noted and incorporated into the proposed Amendment Local Law.</p> <p>Noted.</p> <p>Noted and incorporated into the proposed Amendment Local Law.</p>
<p>Consolidation of the City of Perth Parking Local Law</p>	<p>The Department notes that since its gazettal in 2011, the Principal Local Law has been amended several times. If the current proposed Amendment Local Law is adopted and gazetted, the Principal Local Law will be split between four pieces of legislation. Therefore, the DLGC suggests that the City consider passing a consolidated parking local law the next time the local law is due for review.</p>	<p>Noted.</p>

The originally advertised Amendment Local Law incorporating DLGC suggestions is provided in Schedule 3 showing deleted text as ~~striketrough~~ and new inserted text as *italics*. These amendments do not represent changes that have any impact on the effect of the advertised Amendment Local Law.

Therefore, in accordance with Section 3.12(4) of the *Local Government Act 1995* the now proposed Amendment Local Law as detailed in Schedule 5 is not considered to be significantly different from that advertised.

For clarity as to the effect of the proposed Amendment Local Law on the Principal Local Law, a copy of the *City of Perth Parking Local Law 2010* is provided as Schedule 4 showing deleted text as ~~striketrough~~ and new inserted text as *italics*.

FINANCIAL IMPLICATIONS:

Initial public notice advertising costs for the proposed City of Perth Parking Amendment Local Law 2014 were \$570.

The Gazettal and final public notice requirements for the finalised Amendment Local Law, once resolved by Council are estimated at \$2,000. These costs can be accommodated within existing operating budgets.

COMMENTS:

The amendments incorporated as a result of the suggestions received by the DLGC mainly relate to drafting standards only and do not constitute substantial changes to the originally advertised Amendment Local Law.

It is therefore recommended that Council resolve to make the City of Perth Parking Amendment Local Law 2015 as detailed in Schedule 5 and gives local public notice of the Amendment Local Law.

The local law will come into effect fourteen days after it is published in the *Western Australian Government Gazette*.

*Local Government Act 1995***CITY OF PERTH****PARKING AMENDMENT LOCAL LAW 2014 2015**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Perth resolved on **<insert date>** to make the following local law.

1. Citation

This local law may be cited as the *City of Perth Parking Amendment Local Law 2014 2015*.

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 *City of Perth Parking Local Law 2010*, as published in the *Government Gazette* on 15 February 2011, and amended as published in the *Government Gazette* on 20 December 2011 and 3 September 2013, is referred to as the Principal Local Law. The Principal Local Law is amended.

4. Arrangement deleted

Delete the Arrangement.

5. Clause 1.4 amended

Clause 1.4 **is** amended as follows:

- (a) Delete **the** definition for “**ACROD sticker**”;
- (b) Delete the definition of “**parking bay for people with a disability**”;
- (c) In the definition for “**no stopping sign**” after the words “in the Code” insert “and the definition of “Sign” within this local law”;
- (d) In the definition of “**parking permit**” after the words “by the City” insert “~~includes written or electronic~~ **and includes both written and electronic permits**”;
- (e) Insert each of the following definitions in alphabetical order:

“**disability parking permit**” has the meaning given to it in the *Local Government (Parking for Disabled Persons People with Disabilities) Regulations 2014*;

“**electronic parking detection device**” means an electronic device placed in any position to detect and record the parking time of a vehicle on any road, parking facility, or other public place and includes any instrument, display panel or transmitting apparatus associated with the device;

“**parking bay for people with disabilities**” has the same meaning given to it under the definition “parking bay” in the *Local Government (Parking for Disabled Persons ~~People with Disabilities~~) Regulations 2014*;

6. Clause 2.3 amended

Clause 2.3 amended as follows:

- (a) ~~D~~ delete subclause 2.3(1)(d)(ii) and insert: ~~;~~
- (ii) the vehicle displays a disability parking permit in which case the vehicle may be parked (except in a parking area for people with disabilities) in accordance with Regulation 174(2) of the Code; ~~;~~ **and**
- (b) ~~I~~ in subclause 2.3(1)(e): ~~;~~
- (i) after the words “metered spaces unless a” insert “motor”; ~~;~~ **and**
- (ii) after the words “needed to park that” insert “motor”.

7. Clause 2.5 deleted

Delete Clause 2.5 and insert:

2.5 [Deleted] ~~DELETED~~

8. Clause 2.8 amended

Clause 2.8 is amended as follows:

- (a) in subclause 2.8(1)(a): ~~;~~
- (i) delete the words “and a person is continuously engaged in loading or unloading goods to or from that vehicle; or”; ~~;~~ **and**
- (ii) after the words “is a commercial vehicle” insert “or an authorised vehicle; and”; ~~;~~ **and**
- (b) delete subclause 2.8(1)(b) and insert: ~~;~~
- (b) a person is continuously engaged in loading or unloading goods to or from that vehicle;

9. Clause 3.3 amended

Clause 3.3 is amended by inserting “or within a parking station” after the words “any portion of a road”.

10. Clause 4.1 amended

Subclause 4.1(1)(b) is amended by inserting “for each parking bay” after the words “referable to the zone”.

11. Clause 4.3 amended

Clause 4.3 is amended as follows:

- (a) in subclause 4.3(2), before the words “Where more than one parking ticket”, insert “ Unless subclause (3) applies,”; **and**
- (b) after subclause 4.3(2) insert: **!**
 - (3) Where a trailer is attached to a vehicle, a parking ticket is to be displayed inside the vehicle for each occupied parking bay as permitted under this local law.

12. Clause 5.9 deleted

Delete clause 5.9.

13. Part 6 title amended

Delete part 6 title and insert “**PART 6 – PARKING PERMITS**”.

Delete the words “RESIDENTIAL PARKING” and insert “PARKING PERMITS”

14. New clause 6.9

After clause 6.8 insert:

6.9 Councillor parking permit

- (1) The City may issue to any member of the Council a councillor parking permit and may vary or revoke a permit at any time.
- (2) The holder of a councillor parking permit is exempt from those clauses of this local law specified in the permit.
- (3) The exemption conferred by subclause (2) applies only -
 - (a) if the councillor parking permit is displayed inside the vehicle and is clearly visible to and able to be read by an authorised person from outside the vehicle at all times;

- (b) if the councillor parking permit is valid; and
- (c) if the holder of the councillor parking permit is carrying out his or her duties or performing his or her functions as a member of the Council.
- (4) A councillor parking permit ceases to be valid -
- (a) when the holder of the permit ceases to be a member of the Council;
- (b) after the expiry date specified in the permit; or
- (c) when revoked by the City.

and shall be returned to the City on the happening **occurrence** of any of the above events.

15. Schedule 2 amended

Delete Schedule 2 and insert:

Schedule 2		
	Modified Penalties [Clause 8.3]	
Offence Clauses	Offence Clauses	Modified
2.3(1)(a)	Stopped different class vehicles	\$120
2.3(1)(b)	Stopped different class persons	\$120
2.3(1)(c)	Stopped in restricted period (Clearway)	\$200
2.3(1)(d)	Stopped longer than time	\$60
2.3(1)(e)	Stopped not in bay	\$60
2.3(1)(f)	Stopped contrary to sign	\$60
2.3(1)(g)	Not load/unload goods (Loading Dock)	\$100
2.3(2)(a)	Stopped in No Stopping area	\$200
2.3(2)(b)	Stopped in a No Stopping area marked by yellow edged line	\$200
2.3(2)(c)	Stopped in a designated keep clear area	\$200
2.3(2)(d)	Stopped other than M/C in M/C bay	\$75
2.3(2)(e)	Stopped in a bus lane or bus way	\$200
2.3(2)(f)	Stopped in a transit lane	\$200
2.3(2)(g)	Stopped in a truck lane	\$200
2.3(2)(h)	Stopped in a bicycle lane or on a path	\$200
2.3(3)	Park in No Parking area	\$75
2.3(4)(a)	Stopped M/C in bay other than M/C (Bay)	\$75
2.3(4)(b)	Stopped M/C in bay other than M/C (Sign)	\$75
2.3(5)	Stopped in M/C bay longer than time allowed by signs from adjacent parking bays	\$60
2.3(6)	Stopped in area (Authorised Vehicles Only)	\$100

Schedule 2		
	Modified Penalties [Clause 8.3]	
Offence Clauses	Offence Clauses	Modified
2.4(2)	Stopped on land (Without consent)	\$100
2.4(3)	Stopped on land (Contrary to consent)	\$100
2.6(a)	Failing to park parallel to the kerb	\$60
2.6(b)	Failing to park as close to the kerb as practicable	\$60
2.7	Stopped not wholly within a parking space (angled)	\$60
2.8(1)(a)	Non-commercial vehicle stopped in a loading zone	\$100
2.8(1)(b)	Not continuously engaged in loading or unloading	\$60
2.8(2)	Stopped a vehicle in a loading zone longer than the time specified	\$60
2.9(1)(a)	Stopped a vehicle in a fee paying zone not parallel to a kerb	\$60
2.9(1)(b)	Stopped a vehicle in a fee paying zone not as close to a kerb as practicable	\$60
2.9(1)(c)	Stopped a vehicle in a fee paying zone not wholly in a marked bay	\$60
2.9(1)(d)	Stopped a vehicle in a fee paying zone not headed in the direction of the traffic	\$60
2.9(2)	Stopped a vehicle not wholly within a parking bay or metered space	\$60
2.10(1)	Stopped a vehicle on a reserve	\$100
2.11	Stopped in bay already occupied	\$60
2.12	A person must not interfere with a ticket issuing machine, fee collection machine or meter	\$100
2.13	A person must not operate a ticket issuing machine, fee collection machine or meter other than in accordance with the instructions	\$100
2.15(2)(a)	Stopped and failed to display permit properly	\$100
2.15(2)(b)	Stopped and failed to display current permit	\$100
2.15(2)(c)	Stopped and failed to display permit (specific class)	\$100
2.16(4)	Stopped a vehicle contrary to terms of permission	\$75
2.17	Stopped after direction to move	\$100
2.18	Selling, hiring, giving away or advertising anything in or from a parking facility without authorisation	\$200
2.19(1)	Failing to leave a parking station when requested	\$100
2.19(2)	Loitering in a parking station	\$100
2.20	Causing damage to a parking facility	\$200
2.21	Stopped a vehicle in a parking facility set aside for an event contrary to the conditions	\$60
2.23	Stopped an unauthorised vehicle in area set aside for authorised vehicles	\$100
2.24	Stopped on local government property contrary to consent	\$100
3.1(a)	Stopped not in direction of traffic	\$200
3.1(b)	Stopped not in direction of traffic (one-way street)	\$200

Schedule 2		
	Modified Penalties [Clause 8.3]	
Offence Clauses	Offence Clauses	Modified
3.1(c)	Stopped without leaving three metres clearance from opposite boundary	\$60
3.1(d)	Stopped without leaving 1.2 metres from any other vehicle except a motorcycle	\$60
3.1(e)	Cause obstruction to carriageway	\$200
3.2	Stopped on a median strip or road verge	\$75
3.3(a)	Exposed a vehicle for sale on any portion of a road or within a parking station	\$75
3.3(b)	Stopped an unlicensed vehicle on any portion of a road or within a parking station	\$75
3.3(c)	Left a trailer or caravan on a road or within a parking station unattached to a motor vehicle	\$75
3.3(d)	Stopped a vehicle on any portion of a road or within a parking station to conduct non-emergency repairs	\$75
3.4(3)(a)	Cause obstruction to a thoroughfare or road (entry and exit)	\$200
3.4(3)(b)	Obstruct any thoroughfare in a parking facility	\$200
3.4(3)(c)	Cause an obstruction to an intersection	\$200
3.4(3)(d)	Stopped within 20 metres of an intersection controlled by traffic signals	\$200
3.4(3)(e)	Stopped within 10 metres of an intersection without traffic signals	\$200
3.4(3)(f)	Stopped on a footpath	\$200
3.4(3)(g)	Stopped alongside an excavation etc	\$100
3.4(3)(h)	Stopped on a bridge or within a tunnel	\$200
3.4(3)(i)	Stopped within 3 metres of a double white line	\$100
3.5(1)	Stopped abreast of another vehicle	\$200
3.6	Stopped on or across driveway	\$200
3.7(a)	Stopped within 1 metre of a fire hydrant	\$200
3.7(b)	Stopped within 3 metres of a public post box	\$60
3.8(1)(a)	Stopped a vehicle within 10 metres of the departure side or within 20 meters of the approach side of a bus bay or zone	\$200
3.8(1)(b)	Stopped a vehicle within 10 metres of the departure side or within 20 meters of the approach side of a pedestrian crossing	\$200
3.8(1)(c)	Stopped a vehicle within 10 metres of the departure side or within 20 meters of the approach side of a children's crossing	\$200
3.8(1)(d)	Stopped a vehicle within 10 metres of the departure side or within 20 meters of the approach side of a railway level crossing	\$200
3.8(2)(a)	Stopped a vehicle within 3 metres of the departure side or within 10 meters of the approach side of a pedestrian crossing not at intersection	\$200

Schedule 2		
	Modified Penalties [Clause 8.3]	
Offence Clauses	Offence Clauses	Modified
3.8(2)(b)	Stopped a vehicle within 3 metres of the departure side or within 10 metres of the approach side of a bicycle crossing with crossing lights not at intersection	\$200
3.9(1)(a)	Return to area within one hour on same length of carriageway	\$60
3.9(2)	Move vehicle within parking station to avoid time limitation	\$60
3.10(d)(i)	Stopped in Mall (Not in service zone)	\$60
3.10(d)(ii)	Stopped in Mall (Not during permitted period)	\$100
3.10(d)(iii)	Stopped in Mall (Not load/unload)	\$60
3.10(d)(iv)	Stopped in Mall (More than 30 minutes)	\$60
3.11(1)	Stopped in Public Bus bay	\$200
3.11(2)(a)	Not pick up/set down (Public Bus)	\$100
3.11(2)(b)	Not pick up/set down or Longer than 15 mins (Charter vehicle)	\$100
3.12	Stopped in Charter Vehicle bay	\$120
3.13(1)	Stopped other than a Taxi in a Taxi zone	\$120
3.13(2)	Left a Taxi unattended in a Taxi zone	\$100
3.14(8)	Stopped in work zone	\$100
3.15(a)	Stopped an unauthorised vehicle in a shared zone	\$100
3.15(b)	Stopped an unauthorised vehicle in a parking bay within a shared zone	\$100
3.15(c)	Stopped an unauthorised vehicle in a shared zone not engage in picking up or dropping off	\$60
3.15(d)	Stopped an unauthorised vehicle in a shared zone not engaged in loading/unloading or collection of waste	\$60
3.16(1)(a)	Stopped a vehicle or combination of vehicles longer than 7.5 metres or exceeding GVM of 4.5 tonnes for more than 1 hour unless picking up or setting down	\$60
3.16(1)(b)	Stopped a vehicle or combination of vehicles longer than 7.5 metres or exceeding GVM of 4.5 tonnes not within a designated bay	\$60
4.1(1)(a)	Stopped in a metered space and failed to pay the fee	\$60
4.1(1)(b)	Stopped in a ticket machine zone and failed to pay the fee	\$60
4.1(2)(a)	Stopped in a metered space contrary to sign	\$60
4.1(2)(b)	Stopped in a ticket machine zone contrary to sign	\$60
4.2(a)	Stopped against an expired meter	\$60
4.2(b)	Stopped against meter (Longer than time)	\$60
4.3(1)(a)	Stopped failed to display unexpired ticket (T/M Zone)	\$60
4.3(1)(b)	Stopped failed to display ticket properly (T/M Zone)	\$60
4.4	Stopped against a hooded meter or ticket machine or stopped in a reserved area	\$100
4.5(1)(a)	Stopped contrary to sign in a fee paying zone	\$60

Schedule 2		
	Modified Penalties [Clause 8.3]	
Offence Clauses	Offence Clauses	Modified
4.5(1)(b)	Stopped in a fee paying zone for longer than the maximum permitted period	\$60
5.1	Entering a parking station without authorisation or ticket	\$100
5.2(1)(a)	Stopped failed to pay fee on demand (Parking Station)	\$100
5.2(1)(b)	Stopped failed to pay fee in ticket issuing machine area (Parking Station)	\$60
5.2(1)(c)	Stopped failed to pay fee to a fee collection machine (Parking Station)	\$60
5.4(1)(a)	Remove vehicle without paying fee (Parking Station)	\$100
5.4(1)(b)	Failed to pay fee notice within 3 days (Parking Station)	\$100
5.5	Return within one hour (Parking Station)	\$60
5.6	Failed to enter or exit through an authorised entry/exit (Parking Station)	\$100
5.7(2)	Stopped not carrying at least one other person (Parking Station)	\$60
5.7(3)	Loitering (Parking Station)	\$60
6.5(a)	Displayed altered parking permit	\$500
6.5(b)	Produced an altered parking permit	\$500
6.7	Failure to remove an expired/revoked permit from vehicle	\$60
7.4	Impersonating an authorised person	\$100
7.5	Obstruct an authorised person	\$100
7.6	Removal of an authorised notice from a vehicle	\$100
7.7(a)	Set up a fraudulent parking sign	\$100
7.7(b)	Remove, deface or misuse a City sign or property	\$100
7.7(c)	Deface a parking meter, sign, ticket issuing or fee collection machine	\$100
7.8(a)	Displayed altered ticket (Parking Facility)	\$500
7.8(b)	Produced an altered ticket	\$500
7.9(2)	Deface or remove a mark made by an authorised person	\$100
7.14	Damage, interfere with or obstruct a parking detection device	\$500
-	Any other clause not contained in this list	\$60

SCHEDULE 2**CITY OF PERTH PARKING LOCAL LAW 2010****MODIFIED PENALTIES****[Clause 8.3]**

<u>Item No.</u>	<u>Offence Clauses</u>	<u>Modified Penalty</u>
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<u>Item No.</u>	<u>Offence Clauses</u>	<u>Modified Penalty</u>
<u>1</u>	<u>2.3(1)(a)</u>	<u>\$120</u>
<u>2</u>	<u>2.3(1)(b)</u>	<u>\$120</u>
<u>3</u>	<u>2.3(1)(c)</u>	<u>\$200</u>
<u>4</u>	<u>2.3(1)(d)</u>	<u>\$60</u>
<u>5</u>	<u>2.3(1)(e)</u>	<u>\$60</u>
<u>6</u>	<u>2.3(1)(f)</u>	<u>\$60</u>
<u>7</u>	<u>2.3(1)(g)</u>	<u>\$100</u>
<u>8</u>	<u>2.3(2)(a)</u>	<u>\$200</u>
<u>9</u>	<u>2.3(2)(b)</u>	<u>\$200</u>
<u>10</u>	<u>2.3(2)(c)</u>	<u>\$200</u>
<u>11</u>	<u>2.3(2)(d)</u>	<u>\$75</u>
<u>12</u>	<u>2.3(2)(e)</u>	<u>\$200</u>
<u>13</u>	<u>2.3(2)(f)</u>	<u>\$200</u>
<u>14</u>	<u>2.3(2)(g)</u>	<u>\$200</u>
<u>15</u>	<u>2.3(2)(h)</u>	<u>\$200</u>
<u>16</u>	<u>2.3(3)</u>	<u>\$75</u>
<u>17</u>	<u>2.3(4)(a)</u>	<u>\$75</u>
<u>18</u>	<u>2.3(4)(b)</u>	<u>\$75</u>
<u>19</u>	<u>2.3(5)</u>	<u>\$60</u>
<u>20</u>	<u>2.3(6)</u>	<u>\$100</u>
<u>21</u>	<u>2.4(2)</u>	<u>\$100</u>
<u>22</u>	<u>2.4(3)</u>	<u>\$100</u>
<u>23</u>	<u>2.6(a)</u>	<u>\$60</u>
<u>24</u>	<u>2.6(b)</u>	<u>\$60</u>
<u>25</u>	<u>2.7</u>	<u>\$60</u>
<u>26</u>	<u>2.8(1)(a)</u>	<u>\$100</u>
<u>27</u>	<u>2.8(1)(b)</u>	<u>\$60</u>
<u>28</u>	<u>2.8(2)</u>	<u>\$60</u>
<u>29</u>	<u>2.9(1)(a)</u>	<u>\$60</u>
<u>30</u>	<u>2.9(1)(b)</u>	<u>\$60</u>
<u>31</u>	<u>2.9(1)(c)</u>	<u>\$60</u>
<u>32</u>	<u>2.9(1)(d)</u>	<u>\$60</u>
<u>33</u>	<u>2.9(2)</u>	<u>\$60</u>
<u>34</u>	<u>2.10(1)</u>	<u>\$100</u>
<u>35</u>	<u>2.11</u>	<u>\$60</u>
<u>36</u>	<u>2.12</u>	<u>\$100</u>
<u>37</u>	<u>2.13</u>	<u>\$100</u>
<u>38</u>	<u>2.15(2)(a)</u>	<u>\$100</u>
<u>39</u>	<u>2.15(2)(b)</u>	<u>\$100</u>
<u>40</u>	<u>2.15(2)(c)</u>	<u>\$100</u>
<u>41</u>	<u>2.16(4)</u>	<u>\$75</u>
<u>42</u>	<u>2.17</u>	<u>\$100</u>
<u>43</u>	<u>2.18</u>	<u>\$200</u>

<u>Item No.</u>	<u>Offence Clauses</u>	<u>Modified Penalty</u>
<u>44</u>	<u>2.19(1)</u>	<u>\$100</u>
<u>45</u>	<u>2.19(2)</u>	<u>\$100</u>
<u>46</u>	<u>2.20</u>	<u>\$200</u>
<u>47</u>	<u>2.21</u>	<u>\$60</u>
<u>48</u>	<u>2.23</u>	<u>\$100</u>
<u>49</u>	<u>2.24</u>	<u>\$100</u>
<u>50</u>	<u>3.1(a)</u>	<u>\$200</u>
<u>51</u>	<u>3.1(b)</u>	<u>\$200</u>
<u>52</u>	<u>3.1(c)</u>	<u>\$60</u>
<u>53</u>	<u>3.1(d)</u>	<u>\$60</u>
<u>54</u>	<u>3.1(e)</u>	<u>\$200</u>
<u>55</u>	<u>3.2</u>	<u>\$75</u>
<u>56</u>	<u>3.3(a)</u>	<u>\$75</u>
<u>57</u>	<u>3.3(b)</u>	<u>\$75</u>
<u>58</u>	<u>3.3(c)</u>	<u>\$75</u>
<u>59</u>	<u>3.3(d)</u>	<u>\$75</u>
<u>60</u>	<u>3.4(3)(a)</u>	<u>\$200</u>
<u>61</u>	<u>3.4(3)(b)</u>	<u>\$200</u>
<u>62</u>	<u>3.4(3)(c)</u>	<u>\$200</u>
<u>63</u>	<u>3.4(3)(d)</u>	<u>\$200</u>
<u>64</u>	<u>3.4(3)(e)</u>	<u>\$200</u>
<u>65</u>	<u>3.4(3)(f)</u>	<u>\$200</u>
<u>66</u>	<u>3.4(3)(g)</u>	<u>\$100</u>
<u>67</u>	<u>3.4(3)(h)</u>	<u>\$200</u>
<u>68</u>	<u>3.4(3)(i)</u>	<u>\$100</u>
<u>69</u>	<u>3.5(1)</u>	<u>\$200</u>
<u>70</u>	<u>3.6</u>	<u>\$200</u>
<u>71</u>	<u>3.7(a)</u>	<u>\$200</u>
<u>72</u>	<u>3.7(b)</u>	<u>\$60</u>
<u>73</u>	<u>3.8(1)(a)</u>	<u>\$200</u>
<u>74</u>	<u>3.8(1)(b)</u>	<u>\$200</u>
<u>75</u>	<u>3.8(1)(c)</u>	<u>\$200</u>
<u>76</u>	<u>3.8(1)(d)</u>	<u>\$200</u>
<u>77</u>	<u>3.8(2)(a)</u>	<u>\$200</u>
<u>78</u>	<u>3.8(2)(b)</u>	<u>\$200</u>
<u>79</u>	<u>3.9(1)(a)</u>	<u>\$60</u>
<u>80</u>	<u>3.9(2)</u>	<u>\$60</u>
<u>81</u>	<u>3.10(d)(i)</u>	<u>\$60</u>
<u>82</u>	<u>3.10(d)(ii)</u>	<u>\$100</u>
<u>83</u>	<u>3.10(d)(iii)</u>	<u>\$60</u>
<u>84</u>	<u>3.10(d)(iv)</u>	<u>\$60</u>
<u>85</u>	<u>3.11(1)</u>	<u>\$200</u>
<u>86</u>	<u>3.11(2)(a)</u>	<u>\$100</u>
<u>87</u>	<u>3.11(2)(b)</u>	<u>\$100</u>

<u>Item No.</u>	<u>Offence Clauses</u>	<u>Modified Penalty</u>
<u>88</u>	<u>3.12</u>	<u>\$120</u>
<u>89</u>	<u>3.13(1)</u>	<u>\$120</u>
<u>90</u>	<u>3.13(2)</u>	<u>\$100</u>
<u>91</u>	<u>3.14(8)</u>	<u>\$100</u>
<u>92</u>	<u>3.15(a)</u>	<u>\$100</u>
<u>93</u>	<u>3.15(b)</u>	<u>\$100</u>
<u>94</u>	<u>3.15(c)</u>	<u>\$60</u>
<u>95</u>	<u>3.15(d)</u>	<u>\$60</u>
<u>96</u>	<u>3.16(1)(a)</u>	<u>\$60</u>
<u>97</u>	<u>3.16(1)(b)</u>	<u>\$60</u>
<u>98</u>	<u>4.1(1)(a)</u>	<u>\$60</u>
<u>99</u>	<u>4.1(1)(b)</u>	<u>\$60</u>
<u>100</u>	<u>4.1(2)(a)</u>	<u>\$60</u>
<u>101</u>	<u>4.1(2)(b)</u>	<u>\$60</u>
<u>102</u>	<u>4.2(a)</u>	<u>\$60</u>
<u>103</u>	<u>4.2(b)</u>	<u>\$60</u>
<u>104</u>	<u>4.3(1)(a)</u>	<u>\$60</u>
<u>105</u>	<u>4.3(1)(b)</u>	<u>\$60</u>
<u>106</u>	<u>4.4</u>	<u>\$100</u>
<u>107</u>	<u>4.5(1)(a)</u>	<u>\$60</u>
<u>108</u>	<u>4.5(1)(b)</u>	<u>\$60</u>
<u>109</u>	<u>5.1</u>	<u>\$100</u>
<u>110</u>	<u>5.2(1)(a)</u>	<u>\$100</u>
<u>111</u>	<u>5.2(1)(b)</u>	<u>\$60</u>
<u>112</u>	<u>5.2(1)(c)</u>	<u>\$60</u>
<u>113</u>	<u>5.4(1)(a)</u>	<u>\$100</u>
<u>114</u>	<u>5.4(1)(b)</u>	<u>\$100</u>
<u>115</u>	<u>5.5</u>	<u>\$60</u>
<u>116</u>	<u>5.6</u>	<u>\$100</u>
<u>117</u>	<u>5.7(2)</u>	<u>\$60</u>
<u>118</u>	<u>5.7(3)</u>	<u>\$60</u>
<u>119</u>	<u>6.5(a)</u>	<u>\$500</u>
<u>120</u>	<u>6.5(b)</u>	<u>\$500</u>
<u>121</u>	<u>6.7</u>	<u>\$60</u>
<u>122</u>	<u>7.4</u>	<u>\$100</u>
<u>123</u>	<u>7.5</u>	<u>\$100</u>
<u>124</u>	<u>7.6</u>	<u>\$100</u>
<u>125</u>	<u>7.7(a)</u>	<u>\$100</u>
<u>126</u>	<u>7.7(b)</u>	<u>\$100</u>
<u>127</u>	<u>7.7(c)</u>	<u>\$100</u>
<u>128</u>	<u>7.8(a)</u>	<u>\$500</u>
<u>129</u>	<u>7.8(b)</u>	<u>\$500</u>
<u>130</u>	<u>7.9(2)</u>	<u>\$100</u>

<u>Item No.</u>	<u>Offence Clauses</u>	<u>Modified Penalty</u>
<u>131</u>	<u>7.14</u>	<u>\$500</u>
<u>132</u>	<u>Other</u>	<u>\$60</u>

The Common Seal of the)
 City of Perth was affixed)
 on **<insert date>**)
 by the authority of the)
 Council in the presence of)

THE RT HON THE LORD MAYOR
 MS LISA-M. SCAFFIDI

CHIEF EXECUTIVE OFFICER
 MR GARY STEVENSON PSM

SCHEDULE 4

*Consolidated extract from Government Gazette No. 21, 15 February 2011
Includes Amendments vide Government Gazette No. 247, 20 December 2011
Includes Amendments vide Government Gazette No. 163, 3 September 2013
Proposed Amendment Local Law 2014 shown as **italics** and ~~strikethrough~~ as advertised
Proposed Amendment Local Law 2015 shown as **italics** and ~~strikethrough~~ as amended*

LOCAL GOVERNMENT ACT 1995

CITY OF PERTH PARKING LOCAL LAW 2010

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LOCAL GOVERNMENT ACT 1995

CITY OF PERTH PARKING LOCAL LAW 2010

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Perth resolved on **14 December 2010** to make the following local law, as set out below.

PART 1 - PRELIMINARY

1.1 Citation

This local law may be cited as the *City of Perth Parking Local Law 2010*.

1.2 Commencement

This local law will come into operation on the fourteenth day after the day on which it is published in the *Government Gazette*.

1.3 Repeal

The *City of Perth Parking Local Law 1999* published in the *Government Gazette* on 17 December 1999 and all amendments thereto are hereby repealed on the day this local law comes into operation.

1.4 Definitions

In this local law unless the context otherwise requires -

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

“**ACROD sticker**” (also referred to as ACROD permits) has the meaning given to it in the *Local Government (Parking for Disabled Persons) Regulations 1988*;

“**attended parking station**” means a parking station attended at times by an officer, agent, contractor or authorised person of the City;

“**authorised person**” means a person appointed by the City under section 9.10 of the Act to perform any function under this local law;

“**authorised vehicle**” means a vehicle authorised by the City or an authorised person to stop or park in a parking facility or any portion thereof;

“**bicycle**” includes any wheeled vehicle that is designed to be propelled solely by human power but does not include a pram, wheeled recreational device or wheelchair;

“**bicycle crossing**” means a portion of a carriageway upon which may be erected, on each side of the carriageway, bicycle crossing lights;

“**bicycle crossing lights**” means a device designed to show, at different times, a green, yellow or red bicycle crossing light;

“**bicycle lane**” has the meaning given to it in the Code;

“**bicycle path**” has the meaning given to it in the Code;

“**bus**” has the meaning given to “public bus” in the Code;

“**bus embayment**” has the meaning given to it in the Code;

“**bus lane**” has the meaning given to it in the Code;

“**bus way**” has the meaning given to it in the Code;

“**bus zone**” has the meaning given to it in the Code;

“**caravan**” means a vehicle that is fitted or designed to allow human habitation;

“**carriageway**” means a portion of road that is improved, designed or ordinarily used for vehicles 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 road 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 placed at the middle of the carriageway or, in the absence of any such lines, marks or other indications, in the middle of the main travelled portion of the carriageway;

“**CEO**” means the Chief Executive Officer of the City;

“**charter vehicle**” means a vehicle holding an omnibus license issued under the *Transport Co-ordination Act 1966*, thereby licensed to undertake tour and/or charter work, but does not include a “public bus”.

“**charter vehicle zone**” means a parking bay or area designated for use by a charter vehicle;

“**children’s crossing**” has the meaning given to it in the Code;

“**City**” means City of Perth;

“**clause**” means a clause of this local law;

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

“**commercial vehicle**” means a motor vehicle constructed, adapted or fitted for the conveyance of goods or merchandise, and for the purpose of this local law, includes a vehicle which is used primarily for the conveyance of goods or merchandise and on which a business name as defined in the *Business Names Act 1962* or a Trade Mark as defined in the *Trade Marks Act 1995* is permanently affixed and readily legible to an authorised person;

“**Council**” means the council of the City;

“**Cross-over**” means the portion of land which lies between the boundary of a carriageway and the adjacent property line that is constructed for the purpose of ingress and egress to and from the property.

~~“**parking bay for people with a disability**” means a part of a parking facility which is identified or marked out by painted lines, symbols, inscriptions or signs as a bay for the parking of vehicles driven by or carrying a person with a disability;~~

~~“**disability parking permit**” has the meaning given to it in the Local Government (Parking for Disabled Persons **People with Disabilities**) Regulations 2014;~~

“**district**” means the district of the City;

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

“**driveway**” means the portion of land which lies between the boundary of a carriageway and the adjacent property line that is constructed for the purpose of ingress and egress to and from the property, and also includes the term cross-over;

“**edge line**”, for a carriageway, means a line marked along the carriageway at or near the far left or far right side of the carriageway;

~~“**electronic parking detection device**” means an electronic device placed in any position to identify a vehicle and / or detect and record the parking time of a vehicle, on any road, parking facility, or other public place and includes any instrument, display panel or transmitting apparatus associated with the device;~~

“**emergency vehicle**” has the meaning given to it in the Code;

“**entrance ticket**” means a ticket or token issued by an entrance ticket machine;

“**entrance ticket machine**” means a machine installed at an entrance to a parking station (including attended parking station) and from which entrance tickets or tokens are issued to vehicles entering that parking station;

“**exit ticket**” means a ticket issued after payment of the fee by a fee collection machine;

“**fee collection machine**” means a machine installed in a parking station which upon the insertion of an entrance ticket and payment of the required fee, issues an exit ticket or token;

“**fee paying zone**” means a metered zone or a ticket machine zone;

“**footpath**” has the meaning given to it in the Code;

“**GVM**” (which stands for “gross vehicle mass”) has the meaning given to it in the Code;

“keep clear marking” means the words ‘keep clear’ marked across all or part of a carriageway, with or without continuous lines marked across all or part of the carriageway;

“kerb” means any structure, mark, marking or device to delineate or indicate the edge of a carriageway;

“length of carriageway” means the same side of the road between intersections on that side of the road;

“loading dock” means a parking facility or parking station owned or operated by the City for the purpose of loading or unloading goods;

“loading zone” means:

- (a) a parking facility to which a loading zone sign applies; or
- (b) a parking bay designated by a sign for use by commercial vehicles as a loading zone;

“loading zone sign” has the meaning given to it in the Code;

“local government property” has the meaning given to it in the Act;

“median strip” has the meaning given to it in the Code;

“metered space” means a section or part of a metered zone that is controlled by a parking meter and that is marked or defined in any way to indicate where a vehicle may be parked on payment of a fee or charge;

“metered zone” means any road or reserve, or part of any road or reserve, in which parking meters regulate the stopping or parking of vehicles;

“money” means any legal tender under the *Currency Act 1965* (Cth);

“motorcycle” means a motor vehicle that has two wheels but does not include a motor vehicle to which a side car is attached;

“motor vehicle” means a self-propelled vehicle that is not operated on rails, and the expression includes

- (a) a trailer, semi-trailer or caravan while attached to a motor vehicle;
- (b) a 2-wheeled motor vehicle with a side car attached to it that is supported by a third wheel;

but does not include a power assisted pedal cycle;

“nature strip” means the portion of a road which lies between the boundary of a carriageway and the front boundary of adjacent land and includes a verge, but does not include a path;

“no parking area” means –

- (a) a portion of a carriageway –to which a “no parking” sign applies; or
- (b) an area to which a “no parking” sign applies;

“no parking sign” has the meaning given to it in the Code;

“no stopping area” has the meaning given to it in the Code;

“no stopping sign” has the meaning given to it in the Code **and the definition of “Sign” within this local law;**

“occupier” has the meaning given to it in 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 Act;
- (b) where used in relation to any other vehicle, means the person who owns, or is entitled to possession of, the vehicle; and
- (c) where used in relation to land, has the meaning give to it by the Act;

“park” means to permit a vehicle, whether attended or unattended, to remain stationary, except for the purpose of -

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

“parking area” has the meaning given to it in the Code;

“parking bay” means a section of a parking facility which is marked or defined in any way to indicate where a vehicle may stop or park;

“parking bay for people with disabilities” has the same meaning given to it under the definition “parking bay” in the Local Government (Parking for Disabled Persons People with Disabilities) Regulations 2014;

“parking control sign” has the meaning given to it in the Code;

“parking facility” includes land, buildings, shelters, parking bays, parking stations 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 permit” means a permit issued by the City **includes written or electronic; and includes both written and electronic permits;**

“parking region” means the whole of the district of the City but excludes the following portions of the district:

- (a) the approach and departure prohibition areas of all existing and future traffic control signal installations as determined by the Commissioner of Main Roads;
- (b) prohibition areas applicable to all existing and future bridges and subways as determined by the Commissioner of Main Roads; and
- (c) any thoroughfare which comes under the control of the Commissioner of Main Roads unless the control of parking and parking facilities on that thoroughfare has been delegated by the Commissioner of Main Roads to the City;

“parking station” means any land, building or other structure used predominantly for the stopping and parking of vehicles, whether or not a fee is charged, and includes an attended parking station but does not include a road or reserve;

“parking ticket” means a ticket which is issued from a ticket issuing machine and which authorises the parking of a vehicle;

“path” includes a bicycle path, footpath, separated footpath and shared path;

“pedestrian crossing” has the meaning given to it in the Code;

“pedestrian mall” has the meaning given to it in the Code;

“permissive parking sign” has the meaning given to it by Clause 172 of the Code;

“postal vehicle” has the meaning given to it in the Code;

“property line” means the boundary between the land comprising a road and the land that abuts that road;

“public bus” means a bus operated by or on behalf of the State as a passenger vehicle, to carry passengers for hire or reward, whether in connection with a railway or not, but does not include a vehicle operative as a taxi using taxi plates issued under the *Taxi Act 1994* or licensed as a taxi-car under Part IIIB of the *Transport Coordination Act 1996*.

“public bus zone” means a parking bay designated for use by a public bus;

“reserve” includes any land -

- (a) owned by or vested in the City;
- (b) of which the City 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” means a highway, lane, thoroughfare or similar place which the public are allowed to use and includes all of the land including the nature strip and paths appurtenant thereto lying between the property lines abutting the road;

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

“Schedule” means a Schedule to this local law;

“service vehicle” has the same meaning as given to it in the Code;

“service zone” means any part of a pedestrian mall designated for stopping or parking of service vehicles;

“shared zone” has the meaning given to it in the Code;

“sign” includes a traffic sign, permissive parking sign, inscription, mark, structure or device approved by the City on which may be shown words, numbers, expressions or symbols for the purpose of prohibiting, regulating, guiding, directing or restricting the stopping or parking of vehicles;

“special purpose vehicle” has the meaning given to it in the Code and also includes any commercial vehicle owned by the City;

“stop” in relation to a vehicle, means to stop a vehicle and permit it to remain stationary, except for the purpose of -

- (a) avoiding conflict with other traffic; or
- (b) complying with any written 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;

“taxi” has the same meaning as “taxi” in section 3 of the *Taxi Act 1994*, or a “taxi-car” in section 47Z of the *Transport Coordination Act 1966*;

“taxi zone” has the meaning given to it in the Code;

“thoroughfare” has the meaning given to it in the Act;

“ticket” includes tokens;

“ticket issuing machine” means a machine or device which issues, as a result of money or other permitted form of payment being inserted into a machine, a ticket showing the period during which it is lawful to remain parked in the area to which the machine relates ;

“ticket machine zone” means a parking facility in which a ticket issuing machine is installed;

“T-Intersection” means an intersection where the end of a road intersects with the continuous side of a continuing road;

“traffic” includes the passage of both vehicles and pedestrians;

“traffic island” has the meaning given to it in the Code;

“trailer” means any vehicle without motor 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;

“transit lane” has the meaning given to it in the Code;

“truck” means a vehicle which has a minimum load capacity of 1,000 kilograms;

“truck bay” means a parking bay designated for use by trucks only;

“truck lane” has the meaning given to it in the Code;

“unattended” means the driver has left the vehicle so that the driver is more than 3 meters from the closest point of the vehicle;

“unexpired parking ticket” means a parking ticket on which a date and expiry time is printed and the printed time has not expired;

“vehicle” includes-

- (a) every conveyance, not being a train, vessel or aircraft, and every object capable of being propelled or drawn on wheels or tracks by any means; and
- (b) where the context permits, an animal being driven or ridden.

“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.

1.5 Interpretation

- (1) For the purposes of the interpretation of the definitions of “no parking area”, “no stopping area” and “parking area”, an arrow inscribed on a traffic sign erected at an angle to the boundary of the carriageway is taken 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) A reference to a word or expression inscribed on a sign includes a reference to a symbol depicting that word or expression;
- (3) A reference to a “parking station” or “metered zone” includes a reference to part of the “parking station” or “metered zone”.
- (4) Where a term is used but is not defined in the Act or this local law and that term is defined in the Road Traffic Act or the Code then, unless the context otherwise requires, the term is to have the meaning given to it in the Road Traffic Act or the Code;
- (5) A reference to the wording of any sign in this Local Law shall also be deemed to be a reference to the corresponding symbol;
- (6) In this Local Law, unless the context requires otherwise, a reference to a “thoroughfare”, “parking station”, “parking facility” or “public reserve” includes a

reference to, as the case may be, any part of the “thoroughfare”, “parking station”, “parking facility” or “public reserve”.

(7) This Local Law (except for clause 2.4) applies to the whole of the parking region but not to a parking station that -

- (a) is not owned, controlled or occupied by the City; or
- (b) is owned by the City but is leased to another person;

unless the City and the owner or the occupier of that parking station have agreed in writing that this local law will apply to that parking station.

(8) The agreement referred to in sub-clause (1) may be made on such terms and conditions as the parties agree.

1.6 Sign erected by the Commissioner of Main Roads

A sign that -

- (a) was erected by the Commissioner of Main Roads prior to the coming into operation of this local law; and
- (b) relates to the stopping or parking of vehicles;

is taken to have been erected by the City under the authority of this local law.

1.7 Application of signs

(1) Where under this local law the stopping or parking of vehicles on a road is controlled by a sign, the sign shall apply to that part of the road which -

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

(2) For the purposes of this Local Law a sign may prohibit or regulate parking or stopping by the use of any symbol;

(3) A sign regulating the parking or stopping of vehicles is presumed to be, in the absence of evidence to the contrary, a sign placed, marked or erected under the authority of this local law;

(4) An inscription or symbol on a sign 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 also related to the parking of vehicles;

(5) The first three letters of any day of the week when used on a sign indicate that day of the week;

1.8 Classes of vehicles

For the purpose of this Local Law, vehicles are divided into classes as follows-

- (a) public bus;
- (b) commercial vehicles;
- (c) motorcycles;
- (d) taxis;
- (e) emergency vehicles;
- (f) special purpose vehicles
- (g) charter vehicles; and
- (h) all other vehicles.

PART 2 - STOPPING AND PARKING GENERALLY

2.1 Power to prohibit and regulate

The Council may prohibit or regulate by signs or otherwise the stopping and parking of any vehicle or class of person and vehicle, or both, but is to do so consistently with the provisions of this local law.

2.2 Determinations in relation to stopping and parking

The Council may establish, determine, or vary -

- (a) parking facilities;
- (b) permitted times and conditions of stopping and parking which may vary with the parking region;
- (c) permitted persons who may stop or park their vehicles;
- (d) permitted classes of vehicles which may stop or park; or
- (e) the manner of stopping or parking.

2.3 Stopping or parking generally

(1) A person must not stop or park a vehicle in a parking facility -

- (a) if by a sign it is set apart for the stopping or parking of vehicles of a different class;
- (b) if by a sign it is set apart for the stopping or parking of vehicles by persons of a different class;
- (c) during any period when the stopping or parking of vehicles is prohibited by a sign;
- (d) for more than the maximum time specified by a sign unless:
 - (i) clause 2.15 applies; or
 - (ii) ~~the vehicle displays an ACROD sticker in which case the vehicle may be parked for twice the maximum time specified by the sign;~~
 - (ii) the vehicle displays a disability parking permit in which case the vehicle may be parked (except in a parking area for people with disabilities) in accordance with Regulation 174(2) of the Code;
 - (iii) the vehicle has been removed from the same length of carriageway for over 1 hour;

- (e) other than wholly within a parking bay or metered space if the parking facility has parking bays or metered spaces unless a **motor** vehicle is too wide or long to fit completely within a single parking bay, in which case the vehicle shall be parked within the minimum number of parking bays needed to park that **motor** vehicle;
- (f) otherwise than in accordance with a sign applying to the place where the vehicle is stopped or parked; or
- (g) which is designated by a sign as a loading dock unless a person is actively engaged in loading or unloading goods or materials used in any industry.

(2) A person must not stop or park a vehicle –

- (a) in a no stopping area;
- (b) at the side of a carriageway marked with a continuous yellow edged line;
- (c) in an area of a carriageway signed or marked with a keep clear marking;
- (d) in a bay marked “M/C” unless it is a motorcycle without a side;
- (e) in a bus lane or bus way;
- (f) in a transit lane;
- (g) in a truck lane; or
- (h) in a bicycle lane or on a bicycle path;

Unless, in the case of sub-clause 2(a)-(d) inclusive, the person is driving a public bus, or charter vehicle or a taxi and is immediately dropping off, or picking up passengers.

(3) A person must not park a vehicle in a “no parking area”, unless the driver –

- (a) is dropping off, or picking up, passengers or goods; and
- (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.

(4) A person must not stop a motorcycle in a parking bay or metered space unless

- (a) the bay or space is marked “M/C”; or
- (b) a sign applying to the bay or space is inscribed “M/C”.

(5) If there is no sign referable to a parking bay or metered space marked “M/C”, a person must not stop or park a vehicle for longer than the maximum period

during which a vehicle may stop or be parked in any adjacent parking bay or metered space.

- (6) Unless authorised by the City, a person must not stop or park a vehicle in an area designated by a sign inscribed "Authorised Vehicles Only".

2.4 Parking contrary to consent

- (1) In this clause a reference to "land" does not include land –
 - (a) which belongs to the City;
 - (b) of which is an "otherwise unvested facility" within section 3.53 of the Act; or
 - (c) which is the subject of an agreement referred to in clauses 1.5(7) and 1.5(8).
- (2) A person must not stop or park a vehicle on land without the consent of the owner or occupier of the land on which the vehicle is stopped or parked
- (3) Where the owner or occupier of the land, by a sign referable to that land or otherwise, consents to the stopping or parking of vehicles on the land, a person must not stop or park on the land otherwise than in accordance with that consent.

~~2.5 Parking for people with a disability~~

- ~~(1) A person must not stop or park a vehicle in a "parking bay for people with a disability"; unless~~
 - ~~(a) the vehicle displays a current ACROD sticker/permit so that it is clearly visible to and able to be read by an authorised person from outside the vehicle at all times; and~~
 - ~~(b) either the driver or the passenger in that vehicle is the person entitled to use the displayed ACROD sticker/permit.~~

~~2.5 Deleted DELETED~~

2.6 Parking positions

Where the signs referring to a parking area are not inscribed with the words "angle parking" then unless a sign referring to the parking area indicates, or marks on the carriageway indicate, that vehicles must park in a different position -

- (a) where the parking area is adjacent to the boundary of a carriageway, a person stopping or parking a vehicle in the parking area must stop or 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 stopping or parking a vehicle in that parking area must

stop or park it at approximately right angles to the centre of the carriageway.

2.7 Angle parking

Where a sign referring to a parking area is inscribed with the words “angle parking” a person stopping or parking a vehicle in the area must stop or park the vehicle at an angle of approximately 45 degrees to the centre of the carriageway unless otherwise indicated by the inscription on the sign or by marks on the carriageway.

2.8 Loading zone

- (1) A person must not stop or park a vehicle in a loading zone unless-
 - (a) the vehicle is a commercial vehicle or an authorised vehicle; and
~~and a person is continuously engaged in loading or unloading goods to or from that vehicle; or~~
 - (b) ~~the vehicle is an authorised vehicle;~~ a person is continuously engaged in loading or unloading goods to or from that vehicle;
- (2) A person must not stop or park a commercial or authorised vehicle in a loading zone for longer than the time indicated on the loading zone sign or if no time is indicated on the sign for longer than 30 minutes, unless authorised.

2.9 Parking Position in fee paying zone

- (1) A person must not stop or park a vehicle in a fee paying zone parallel to a kerb that has parking bays or metered spaces other than-
 - (a) parallel to the kerb;
 - (b) as close to the kerb as practicable;
 - (c) wholly within the parking bay or metered space; and
 - (d) headed in the direction of the movement of traffic on the part of the road on which the parking bay or metered space is situated;
- (2) A person must not stop or park a vehicle in a parking bay or metered space which is not parallel to a kerb other than wholly within the parking bay or metered space as the case may be.

2.10 Reserves

- (1) A person must not drive, stop or park a vehicle on or over any portion of a reserve other than an area specifically set aside for that purpose, unless the person:
 - (a) is an employee of the City in the course of his or her duties;
 - (b) is an authorised person; or

- (c) has obtained the permission of the City or an authorised person.

2.11 Occupied parking bays

A person must not stop or park or attempt to stop or park a vehicle in a parking bay or metered space in which another vehicle is stopped or parked.

2.12 Payment for parking

A person must not insert into a ticket issuing machine, fee collection machine or parking meter anything other than the designations of coin or banknote or other permitted form of payment indicated by a sign on the ticket issuing machine, fee collection machine or parking meter and only in accordance with the instructions printed on the ticket issuing machine, fee collection machine or parking meter.

2.13 Operation of ticket issuing machines and fee collection machines

A person must not operate a ticket issuing machine, fee collection machine or parking meter except in accordance with the operating instructions appearing on the ticket issuing machine, fee collection machine or parking meter.

2.14 Alternative methods of payment for parking

- (1) In this local law, a reference to “alternative method of payment” includes a permit, invoice, ticket or pass.
- (2) The City may authorise a person to pay for parking in advance or in arrears by an alternative method of payment.

2.15 Parking facilities where permit required

- (1) Where a parking facility has been established, determined or varied under clause 2.2(c) so as to only permit certain persons to stop or park their vehicles or under clause 2.2(d) or so as to only permit certain classes of vehicles to stop or park, then an authorised person -
 - (a) may issue a written permit to the relevant persons or vehicles of the permitted class as the case may be; and
 - (b) may vary or revoke a permit at any time.
- (2) Where a written permit has been issued under sub-clause (1), a person must not stop or park a vehicle in the parking facility unless-
 - (a) the permit is displayed inside the vehicle and is clearly visible to and able to be read by an authorised person from outside the vehicle at all times;

- (b) the permit remains valid and has not expired; and
- (c) the person or the vehicle's class as specified in the permit is also specified on the sign which relates to the parking facility.

2.16 Urgent, essential or official duties

- (1) Where a sign prohibits or permits the stopping or parking of a vehicle for a limited time in a parking facility, where a person needs to carry out any duties considered by an authorised person to be urgent, essential or official in nature that person may be permitted to stop or park a vehicle for longer than the permitted time.
- (2) Where permission is given under sub-clause (1) an authorised person may prohibit, for the duration of that permission, the use by any other vehicle of that portion of the parking facility to which the permission relates, provided such prohibition is indicated by a sign.
- (3) Permission issued under sub-clause (1) may -
 - (a) allow the stopping or parking of the vehicle continuously for a specified period or periods or between specified times or from time to time during a specified period; and
 - (b) be revoked or suspended at any time by an authorised person without giving rise to any liability on the part of the City for loss or damages arising from the revocation or suspension of the permission.
- (4) A person must not stop or park a vehicle in respect of which permission has been given under sub-clause (1) other than in accordance with the terms of that permission.

2.17 Direction to move vehicle

A person must not stop or park a vehicle or allow a vehicle to remain stopped or parked after being directed by an authorised person or a police officer to move the vehicle.

2.18 Selling or hiring in a parking facility

A person must not sell, hire or give away any goods or thing or erect an advertisement in a parking facility without the written authorisation of the City.

2.19 Behaviour in a parking station

- (1) A person must not remain in a parking station after having been required to leave by a police officer or an authorised person.
- (2) A person must not loiter in a parking station.

2.20 Damage to parking facilities

A person must not remove, damage, deface, misuse or interfere with any part of a parking facility.

2.21 Event parking

For the purposes of this clause an “event” means a function or activity characterised by all or any of the following:-

- a) formal organisation and preparation;
 - b) its occurrence is generally advertised or notified in writing to particular persons;
 - c) organisation by or on behalf of a club or a body corporate;
 - d) payment of a fee to attend it; and
 - e) systematic recurrence in relation to the day, time and place;
- (1) The City may by use of signs establish additional parking facilities on any reserve or local government property, for any period specified on the signs, for the parking of vehicles by persons attending an event.
 - (2) A person must not stop or park a vehicle on a reserve or local government property set aside under sub-clause (1) during the period for which it is set aside unless:
 - (a) a ticket purchased from the City with respect to the event is displayed inside the vehicle and is clearly visible to and able to be read by an authorised person from outside the vehicle at all times; or
 - (b) such alternative method of payment for parking as may be authorised by the City is made.

2.22 Removal and impounding of vehicles

- (1) The impounding of vehicles and other goods shall be carried out in accordance with Part 3 Division 3 Subdivision 4 of the Act and regulation 29 of the Local Government (Functions and General) Regulations 1996.
- (2) An employee authorised specifically for the purposes of section 3.39. of the Act and this clause may remove and impound any vehicle that is involved in a contravention that can lead to impounding.
- (3) A person authorised to impound a vehicle in accordance with clause (2) may use reasonable force to exercise the power given by that clause.
- (4) The form of the notice referred to in section 3.42 of the Act is set out in Schedule 3.

2.23 Authorised Parking

A person shall not, without the permission of the City or an authorised person, stop or park a vehicle, other than an authorised vehicle, in an area designated by signs for the parking of authorised vehicles only.

2.24 Parking on Local Government property

A person must not stop or park a vehicle on or over any portion of a local government property other than an area specifically set aside for that purpose unless the person:

- (a) is an authorised person, or
- (b) has obtained the permission of the City or an authorised person.

PART 3 - STOPPING AND PARKING ON ROADS AND OTHER AREAS

3.1 Stopping or parking on a carriageway

Subject to clause 2.3, 2.6 and 2.7, a person stopping or parking a vehicle on a carriageway must stop or 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 road on which the vehicle is stopping or 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 road on which the vehicle is stopping or parked;
- (c) so that at least 3 metres of the width of the carriageway lies between the vehicle and the opposite boundary of the carriageway, or between the vehicle and a vehicle stopping or parked on the opposite side of the carriageway;
- (d) so that it is more than 1.2 metres from any other vehicle, except a motorcycle without a trailer stopped or parked in accordance with this local law; and
- (e) so that it does not obstruct any vehicle on the carriageway.

3.2 Median strips, traffic islands and paths

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

3.3 Prohibited parking of vehicles

A person must not park a vehicle on any portion of a road **or within a parking station-**

- (a) for the purpose of exposing the vehicle for sale;
- (b) if that vehicle is not licensed under the Road Traffic Act or any corresponding law of another State or Territory or of the Commonwealth;
- (c) if that vehicle is a trailer or 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 road.

3.4 Obstructions Generally

- (1) This clause does not apply to a vehicle stopped or parked in a parking bay or metered space established by the City;
- (2) Paragraphs (3) (b) and (d) do not apply to a vehicle stopped or parked in a bus embayment.
- (3) A person must not stop or park a vehicle so that any portion of the vehicle is -
 - (a) on any road or thoroughfare so as to cause an obstruction on the road or thoroughfare unless it is a public bus stopping in a bus zone;
 - (b) obstructing any entrance, exit, carriageway, passage or thoroughfare in a parking facility.
 - (c) on an intersection, subject to paragraphs (d) and (e);
 - (d) on a carriageway within 20 metres from the nearest point of an intersecting carriageway at an intersection with traffic-control signals, unless the vehicle stops or parks at a place on a length of carriageway, or in an area, to which a parking control sign applies and the vehicle is otherwise permitted to stop or park at that place under this local law; or
 - (e) on a carriageway so that any portion of the vehicle is within 10 metres of the prolongation of the nearest edge of any intersecting carriageway, at an intersection without traffic-control signals, intersecting that carriageway on the side on which the vehicle is stopped or parked unless the vehicle stops or parks;
 - (i) at a place on a carriageway, or in an area, to which a parking control sign applies or the vehicle is otherwise permitted to stop or park at that place under this Local Law; or
 - (ii) if the intersection is a T-intersection along the continuous side of the continuing road at the intersection;
 - (f) on or over a footpath, pedestrian crossing, children's crossing or a place for pedestrians;
 - (g) alongside or opposite any excavation, work, hoarding, scaffolding or obstruction on the carriageway, if the vehicle would obstruct traffic;
 - (h) on a bridge or other elevated structure or within a tunnel or underpass unless permitted to do so by a sign; or
 - (i) 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.

3.5 Double parking

- (1) Subject to sub-clause (2), a person must not stop or park a vehicle on a road so that any portion of the vehicle is between any other stationary vehicle and the centre of the carriageway of that road.
- (2) Sub-clause (1) does not apply to -
 - (a) a person who parks a motorcycle in a bay marked "M/C"; or
 - (b) a person who stops or parks a vehicle in a parking bay or metered space abreast of or alongside another vehicle.

3.6 Driveways

A person must not stop or park a vehicle on or across a driveway or other way of access for vehicles travelling to or from land adjacent to a road or thoroughfare, unless the person is immediately dropping off or picking up passengers.

3.7 Parking near fire hydrant or post box

A person must not stop or park a vehicle, otherwise than in a marked bay, on a road so that any portion of the vehicle is -

- (a) within 1 metre of a fire hydrant, fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug; or
- (b) within 3 metres of a public post box, unless the vehicle is a postal vehicle.

3.8 Bus stops, pedestrian, children and train crossings

- (1) Subject to sub-clause (2), a person must not stop or park a vehicle so that any portion of the vehicle is within 10 metres of the departure side, or within 20 metres of the approach side, of -
 - (a) a bus embayment or a bus zone unless the vehicle is a bus stopped to take up or set down passengers;
 - (b) a pedestrian crossing;
 - (c) a children's crossing; or
 - (d) the nearest rail of a railway level crossing.
- (2) Subject to sub clause (3), a person must not stop a vehicle so that any portion of the vehicle is within 3 metres of the departure side, or within 10 metres of the approach side of;
 - (a) a pedestrian crossing, that is not at an intersection;

- (b) a bicycle crossing equipped with bicycle crossing lights, that is not at an intersection;
- (3) Sub-clause (1) does not apply if -
 - (a) the vehicle is stopping or parked in a marked bay;
 - (b) the driver of the vehicle is prevented from proceeding by circumstances beyond his or her control; or
 - (c) it is necessary for the driver of the vehicle to stop to avoid an accident.

3.9 Movement of vehicles to avoid time limitation

- (1) Where stopping or parking on a length of carriageway is permitted for a limited time, a person must not move a vehicle along the same length of carriageway or return to that length of carriageway so that the total time of parking exceeds the maximum time permitted, unless -
 - (a) the vehicle has first been removed from the same length of carriageway for at least 1 hour.
- (2) Where the parking of vehicles in a parking station is permitted for a limited time, a person shall not move a vehicle within that parking station so that the total time of parking exceeds the maximum time allowed for parking in that parking station.

3.10 Pedestrian malls

A person must not stop or park a vehicle in a pedestrian mall unless the vehicle -

- (a) is, and is then being used as, an emergency vehicle;
- (b) is, and is then being used as, a special purpose vehicle;
- (c) is stopping or parked in accordance with a written authorisation by the City; or
- (d) is a service vehicle which -
 - (i) is in a service zone;
 - (ii) is in the pedestrian mall during a period when service vehicles are permitted;
 - (iii) is continuously being loaded or unloaded; and
 - (iv) is stopped or parked for a continuous period of less than thirty minutes or otherwise in accordance with any sign applicable to the service zone.

3.11 Public bus zones

- (1) A person must not stop or park a vehicle other than a public bus in a public bus zone.
- (2) Unless otherwise stated on a sign-
 - (a) a public bus must not stop or park in a bus embayment unless actively engaged in picking up or setting down passengers; and
 - (b) a charter vehicle must not stop or park in a charter vehicle bay, except to pick up or set down passengers and, in any event, for no more than 15 minutes.

3.12 Charter vehicle zones

A person must not stop or park a vehicle other than a charter vehicle in a parking bay set aside for use by a charter vehicle.

3.13 Stopping in a Taxi Zone

- (1) A person shall not stop a vehicle in a taxi zone, unless the person is driving a taxi.
- (2) A person driving a taxi shall not leave the taxi unattended whilst it is in a taxi zone.

3.14 Construction site vehicle parking

- (1) In this clause unless the context otherwise requires—

“**builder**” has the meaning given to it in the Building Regulations 1989;

“**construction site**” means any land subject to development;

“**construction site vehicle**” means a commercial vehicle or a heavy goods vehicle;

“**daily fee**” means the daily fee determined by the Council;

“**development**” means the demolition, erection, construction, alteration of or addition to any building or structure on land or the carrying out on land of any excavation or other works;

“**eligible person**” means an owner or occupier of a construction site or any builder carrying out work on a construction site;

“**establishment fee**” means the fee determined by Council resolution from time to time;

“heavy goods vehicle” means a vehicle which is defined in the First Schedule of the Road Traffic Act as a tractor (prime mover type) or a tractor (other than prime mover type) and includes any other vehicle constructed primarily for the conveyance of goods which is attached to a heavy goods vehicle; and

“work zone” means any road or part of a road, whether or not marked as a metered space, parking bay or ticket machine zone, which is set aside by the City by the use of a sign, for a period specified on the sign, for the stopping or parking of construction site vehicles.

- (2) An eligible person seeking to establish a work zone adjacent to a construction site may apply in writing to the City, which may approve or refuse the application.
- (3) Where the City approves an application, it is to give the applicant written notice specifying -
 - (a) the number and location of work zones the applicant may use;
 - (b) the times during which the stopping or parking of construction site vehicles is permitted in the work zone;
 - (c) the period for which the approval is valid;
 - (d) any conditions to which the approval of the City is subject; and
 - (e) the amount of the establishment fee.
- (4) The City is to set aside a work zone in accordance with the notice referred to in sub-clause (3) within 14 days from the date of payment of the establishment fee.
- (5) An eligible person must, in addition to the establishment fee, pay to the City a daily fee for each day that a work zone is set aside.
- (6) The daily fee is payable monthly in advance.
- (7) Where the City has approved an application to establish a work zone adjacent to a construction site, the City may cancel its approval by written notice to the applicant in the event that:
 - (a) the applicant or any person authorised by the applicant to use the work zone stops or parks a vehicle other than in accordance with:
 - (i) any condition stipulated in the notice issued to the applicant pursuant to sub-clause (3); or
 - (ii) any sign applicable to the work zone;
 - (b) the applicant fails to pay the daily fee as required pursuant to sub-clause (5); or
 - (c) if the City or a person authorised by the City requires access to or near the place where the work zone is situated, for the purposes of carrying out works in or near the vicinity of that place.

- (8) A person must not stop or park a vehicle in a work zone unless the person is driving a vehicle that is –
- (a) engaged in construction work in or near the zone; or
 - (b) permitted to stop in the works zone in accordance with this local law.

3.15 Parking in a shared zone

A person must not stop or park a vehicle in a shared zone unless the vehicle -

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

3.16 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 more than 7.5 metres in length or exceeds a GVM of 4.5 tonnes -
- (a) on a carriageway in a built-up area, for any period exceeding one 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 detracts from any limitation or condition imposed by any other provision of this local law or sign relating to the parking or stopping of vehicles.

PART 4 - FEE PAYING ZONES

4.1 Payment of fees

- (1) A person must not stop or park a vehicle in a metered space or a ticket machine zone unless the appropriate fee as indicated by a sign:
 - (a) on the parking meter referable to the space in the case of a metered space; or
 - (b) on the ticket issuing machine referable to the zone **for each parking bay** in the case of a ticket machine zone;

is inserted into the parking meter or ticket issuing machine as the case may be.

- (2) Subject to the provisions of this Part 4, the payment of the fee referred to in sub-clause (1) entitles a person to stop or park a vehicle in:
 - (a) a metered space for the period shown on a sign referable to the space; or
 - (b) in a ticket machine zone for the period shown on the parking ticket,

but does not authorise the parking of the vehicle during any time when stopping or parking in that space or zone is prohibited under this local law or by a sign.

4.2 Expired meter, parking limit

Unless authorised by the City a person must not leave or permit a vehicle to remain stopped or parked in a metered space -

- (a) during the hours when a fee is payable to stop or park a vehicle in the space when the parking meter referable to that space exhibits the sign 'Expired', a negative time or a series of red flashing lights;
- (b) for longer than the maximum period stated on the sign referable to that space during which continuous stopping or parking is permitted.

4.3 Display of parking tickets and parking limits

- (1) A person must not stop or park a vehicle in a ticket machine zone during the period in which stopping or parking is permitted only upon the purchase of a parking ticket:
 - (a) unless an unexpired parking ticket issued by a ticket issuing machine in that ticket machine zone is displayed inside the vehicle; and
 - (b) the ticket is clearly visible to and able to be read by an authorised person from outside the vehicle at all times while that vehicle remains standing or parked in that zone.
- (2) Unless subclause (3) applies, Wwhere more than one parking ticket is displayed bearing the same date and time of issue, the period for each ticket is to be aggregated and the tickets are to be taken not to have expired until the expiry of the aggregate of those periods providing that the aggregate does not exceed the maximum period of time a vehicle is permitted to park in that zone.

(3) Where a trailer is attached to a vehicle, a parking ticket is to be displayed inside the vehicle for each occupied parking bay as permitted under this local law.

4.4 Reserved Fee Paying Zones

Unless authorised by the City a person must not leave or permit a vehicle to remain stopped or parked in a fee paying space or zone if the parking meter or ticket machine is hooded with a covering bearing the words “No Parking”, “Reserved Parking”, “Temporary Bus Stop” or with an equivalent symbol depicting one of these purposes or any other words or symbols that indicate parking is not permitted within the space or zone.

4.5 Parking restrictions in fee paying zones

- (1) A person shall not stop or park a vehicle in a fee paying zone -
 - (a) except during the period stated on signs referable to the zone during which stopping or parking is permitted; and
 - (b) for longer than the maximum period permitted for continuous parking of a vehicle in the zone, as stated on signs referable to the zone.

PART 5 - PARKING STATIONS

5.1 Restrictions on entering a parking station

A person must not enter a parking station without first obtaining the authorisation of an authorised person if one is on duty or an entrance ticket or parking ticket unless:

- (a) permitted by signs applicable to that parking station; or
- (b) the person entering the parking station is -
 - (i) employed at the parking station and is in the course of his or her duties;
 - (ii) a police officer and is in the course of his or her duties; or
 - (iii) the driver of or a passenger in a vehicle stopping or parked in that station.

5.2 Stopping or parking in a parking station

- (1) A person must not stop or park a vehicle in -
 - (a) an attended parking station, unless the appropriate fee as indicated by a sign is paid when demanded; or
 - (b) a parking station with a ticket issuing machine, unless the appropriate fee as indicated by a sign on the ticket issuing machine is inserted into the machine and the person complies with the relevant provisions of Part 4 of this local law; or
 - (c) a parking station with a fee collection machine, unless the appropriate fee as indicated by a sign is inserted into the machine and the ticket is validated immediately prior to departure.

5.3 No entrance ticket

Where no entrance ticket is produced by the driver of a vehicle which is being removed from a parking station, the appropriate fee is to be calculated as if the vehicle had entered the parking station when it opened for operation on the day the vehicle was parked in the parking station.

5.4 Removal of vehicles

- (1) A person must not remove a vehicle which has been stopped or parked in a parking station until -
 - (a) the appropriate fee for the period for which the vehicle has been stopped or parked has been paid; or

- (b) the City has issued a notice stating the fee, which shall be payable within 3 working days from the time of issue of the notice.

5.5 Maximum parking period in parking stations

Where the stopping or parking of vehicles in a parking station is permitted for a limited time, a person must not stop or park a vehicle for a period exceeding the maximum time permitted, unless the vehicle has first been removed from that parking station for at least 1 hour.

5.6 Entering and Exiting Parking Facilities

A person must not enter or exit in a vehicle a parking facility other than through an authorised entry or exit designated as such by a sign.

5.7 Parking restrictions for vehicles with multiple occupants

- (1) The Council in respect of any period or time may, by the use of a sign, set aside any parking station where entry is prohibited by vehicles other than vehicles carrying in addition to the driver at least one other person.
- (2) A person must not stop or park a vehicle in any parking station which has been set aside under sub-clause (1) at the times or within the period specified under sub-clause (1) unless the vehicle is carrying at least one other person.
- (3) A person must not enter any parking station which has been set aside under sub-clause (1) at the times or within the period specified under sub-clause (1) unless that person is the driver of or passenger in a vehicle carrying at least one other person.
- (4) The fee payable, and the manner of payment, for the parking of a vehicle in any parking station which has been set aside under sub clause (1) and the manner of payment may be determined by Council resolution.

5.8 City may lock parking stations

- (1) At the expiration of the hours of operation of a parking station, an authorised person whether or not any vehicle remains parked in the parking station may lock the parking station or otherwise prevent the movement of any vehicle within, to or from the parking station.
- (2) The City is not responsible for any loss of or damage to a vehicle or its accessories or contents or for any other loss, claim or liability as a result of any action taken under sub-clause (1).

5.9 Councillor parking permit

(1) The City may issue to any member of the Council a councillor parking permit and may vary or revoke a permit at any time.

(2) The holder of a councillor parking permit is exempt from those clauses of this local law specified in the permit.

(3) The exemption conferred by sub-clause (2) applies only –

(a) if the councillor parking permit is displayed inside the vehicle and is clearly visible to and able to be read by an authorised person from outside the vehicle at all times;

(b) if the councillor parking permit is valid; and

(c) if the holder of the councillor parking permit is carrying out his or her duties or performing his or her functions as a member of the Council.

(4) A councillor parking permit ceases to be valid –

(a) when the holder of the permit ceases to be a member of the Council;

(b) after the expiry date specified in the permit; or

(c) when revoked by the City.

and shall be returned to the City on the happening of any of the above events.

PART 6 - RESIDENTIAL PARKING ~~PARKING PERMITS~~

PART 6 – PARKING PERMITS

6.1 Application for parking permit

An application for a parking permit shall be made in the form and shall include payment of the fee determined by Council resolution.

6.2 Issue of parking permit

An authorised person may approve an application for a parking permit made pursuant to clause 6.1 provided that the application is consistent with the requirements of any policy applicable to residential parking that has been adopted by the Council.

6.3 Exemption for permit holders

- (1) Subject to sub-clauses (2) and (3), the holder of a valid parking permit is exempt from -
 - (a) a prohibition against the stopping or parking of vehicles on any part of a road for a specified period; and
 - (b) the requirement to have a parking ticket when parking a vehicle on any part of a road or metered zone where the maximum period during which continuous parking or stopping of a vehicle is permitted (as stated on the sign referable to the bay) exceeds 30 minutes.
- (2) The exemption conferred by sub-clause (1) applies only -
 - (a) to the part of a road or to the metered spaces or parking bays specified in the permit;
 - (b) where the permit displayed relates to a specified motor vehicle, to the motor vehicle specified in that permit;
 - (c) if the permit is displayed in the vehicle and is clearly visible to and able to be read by an authorised person from outside the vehicle at all times while that vehicle remains stopped or parked in the area to which the permit relates; and
 - (d) if the permit is valid.
- (3) The exemption conferred by sub-clause (1) does not apply during any period in which the stopping or parking of vehicles is prohibited in the road or the part of a road specified in the permit.

6.4 Validity of a permit

A parking permit ceases to be valid in accordance with the Residents On Street Parking Policy.

6.5 Use of counterfeit or altered parking permit

A person must not -

- (a) park a vehicle in a parking facility which requires a parking permit, if there is displayed in that vehicle so as to be visible from outside the vehicle, a parking permit which has been counterfeited, altered, obliterated or interfered with; or
- (b) produce to an authorised person who accepts payment for parking, a parking permit which has been counterfeited, altered, obliterated or interfered with.

6.6 Revoking a permit

The City may, at any time and in accordance with the Council's Resident On-Street Parking Policy, revoke a permit which has been issued.

6.7 Removal of a permit from vehicle

The holder of a parking permit must immediately upon the permit being revoked or ceasing to be valid permanently remove the permit from the vehicle in which it is displayed or to which it is affixed and return it to the City.

6.8 Replacement of permit

The City may issue a replacement permit where a written application is made which meets the parking policy and is accompanied by the appropriate fee, if any, charged by the City.

6.9 Councillor parking permit

(1) The City may issue to any member of the Council a councillor parking permit and may vary or revoke a permit at any time.

(2) The holder of a councillor parking permit is exempt from those clauses of this local law specified in the permit.

(3) The exemption conferred by subclause (2) applies only -

(a) if the councillor parking permit is displayed inside the vehicle and is clearly visible to and able to be read by an authorised person from outside the vehicle at all times;

(b) if the councillor parking permit is valid; and

(c) if the holder of the councillor parking permit is carrying out his or her duties or performing his or her functions as a member of the Council.

(4) A councillor parking permit ceases to be valid -

(a) when the holder of the permit ceases to be a member of the Council;

(b) after the expiry date specified in the permit; or

(c) when revoked by the City.

and shall be returned to the City on the occurrence of any of the above events.

PART 7 - MISCELLANEOUS

7.1 Authorised person - certificate of appointment

An authorised person must be given a certificate of his or her appointment in accordance with section 9.10(2) of the Act.

7.2 Authorised persons

No offence under this local law is committed by an authorised person while carrying out his or her duties.

7.3 Necessary power

An authorised person has all necessary power for the purpose of performing all duties vested in or imposed on him or her by the Act and this local law.

7.4 Impersonating an authorised person

A person who is not an authorised person must not impersonate or assume the duties of an authorised person.

7.5 Obstructing of an authorised person

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

7.6 Removal of notices

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

7.7 Display of signs

A person must not without the authorisation of the City -

- (a) mark, set up or exhibit a sign purporting to be or resembling a sign marked, set up or exhibited by the City under this local law;
- (b) remove, deface or misuse a sign or property set up by the City under this local law; or
- (c) affix a board, sign, placard, notice, cover or other thing to or paint or write on any part of a sign, parking meter, ticket issuing machine or fee collecting machine.

7.8 Use of counterfeit or altered parking tickets

A person must not -

- (a) park a vehicle in a parking facility which requires a parking ticket, if there is displayed in that vehicle so as to be visible from outside the vehicle, a parking ticket which has been counterfeited, altered, obliterated or interfered with; or
- (b) produce to an authorised person who accepts payment for parking, a parking ticket which has been counterfeited, altered, obliterated or interfered with.

7.9 Marking tyres and valve stem readings

(1) An authorised person may -

- (a) mark the tyres of a vehicle parked in a parking facility with chalk or any other non-indelible substance;
- (b) take a valve stem reading of a vehicle; or
- (c) record vehicle registration numbers,

for a purpose connected with his or her duties or powers.

(2) A person must not remove a mark made by an authorised person so that the purpose of affixing the mark is defeated or likely to be defeated.

7.10 Exemption when complying with directions

A person who complies with a direction given by a police officer or an authorised person does not commit an offence against this local law while complying with that direction.

7.11 Sign presumed to have been established by the City

A sign marked, erected, set up, established or displayed on or near a road is, in the absence of evidence to the contrary, presumed to be a sign marked, set up, erected, established or displayed under the authority of this local law.

7.12 Power of an authorised person

An authorised person may -

- (a) carry into effect the provisions of this local law;
- (b) report to the Council on the working effectiveness of this local law;

- (c) recommend to the CEO the institution of prosecutions; and
- (d) institute and conduct prosecutions as directed by the CEO.

7.13 Special purpose and emergency vehicles

Notwithstanding anything to the contrary in this local law, the driver of a special purpose vehicle or an emergency 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.

7.14 Interfere with or damage Local government property

A person shall not interfere with, damage or obstruct the operation of any electronic parking detection device or instrument in any parking station, carriageway or in any other place.

PART 8 - OFFENCES AND MODIFIED PENALTIES

8.1 Offences

- (1) A 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) Any person who commits an offence under this local law is liable, on 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.
- (3) An offence against any provision of this local law is a prescribed offence for the purposes of section 9.16(1) of the Act.

8.2 Form of notices

For the purposes of this local law -

- (a) 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 1 in Schedule 1; and
- (b) the form of the notice referred to in section 9.20 of the Act is that of Form 2 in Schedule 1.

8.3 Modified penalty

- (1) Subject to subclauses 8.3(3) and (4), a person who does not contest an allegation that he or she has committed an offence against this local law may, within the time specified in the notice, pay the modified penalty payable for the particular offence.
- (2) The amount appearing in the final column of the table in Schedule 2 directly opposite an offence described in that Schedule is prescribed for the purposes of section 9.17 of the Act as the modified penalty for that offence.
- (3) If it appears to the City that an alleged offence cannot be adequately punished by the payment of the modified penalty then the City may refrain from accepting the modified penalty and may in lieu take proceedings against the alleged offender in an appropriate Court.
- (4) Where the time period within which a person may stop or park a vehicle on a road is controlled by a sign and a person commits an offence under this Local Law by stopping or parking a vehicle for a time period which exceeds that shown on the sign-
 - (a) the amount of the modified penalty shall be the amount referred to in Schedule 2 where the time period during which the vehicle was stopped or parked in excess of the time period shown on the sign was not greater than that shown on the sign; and

- (b) the amount of the modified penalty shall again be payable in respect of each successive time period during which the vehicle continues to be parked or stopped in excess of the time period shown on the sign, to a maximum of \$500.00 on the amount of modified penalties payable for each offence.

SCHEDULE 1 – FORM 1
LOCAL GOVERNMENT ACT 1995
CITY OF PERTH PARKING LOCAL LAW 2010
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 **City of Perth Parking Local Law 2010**.

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 must 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 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
- (7) Identification number of the authorised person giving notice

SCHEDULE 2**CITY OF PERTH PARKING LOCAL LAW 2010****MODIFIED PENALTIES****[Clause 8.3]**

Schedule 2			
		Modified Penalties [Clause 8.3]	
Item No.	Offence Clauses	Offence Clauses	Modified
1	2.3(1)(a)	Stopped different class vehicles	\$120
2	2.3(1)(b)	Stopped different class persons	\$120
3	2.3(1)(c)	Stopped in restricted period (Clearway)	\$150 \$200
4	2.3(1)(d)	Stopped longer than time	\$50 \$60
5	2.3(1)(e)	Stopped not in bay	\$50 \$60
6	2.3(1)(f)	Stopped contrary to sign	\$50 \$60
7	2.3(1)(g)	Not load/unload goods (Loading Dock)	\$100
8	2.3(2)(a)	Stopped in No Stopping area	\$150 \$200
9	2.3(2)(b)	Stopped in a No Stopping area marked by yellow edged line	\$150 \$200
10	2.3(2)(c)	Stopped in a designated keep clear area	\$100 \$200
11	2.3(2)(d)	Stopped other than M/C in M/C bay	\$75
12	2.3(2)(e)	Stopped in a bus lane or bus way	\$150 \$200
13	2.3(2)(f)	Stopped in a transit lane	\$150 \$200
14	2.3(2)(g)	Stopped in a truck lane	\$100 \$200
15	2.3(2)(h)	Stopped in a bicycle lane or on a path	\$100 \$200
16	2.3(3)	Park in No Parking area	\$75
17	2.3(4)(a)	Stopped M/C in bay other than M/C (Bay)	\$75
18	2.3(4)(b)	Stopped M/C in bay other than M/C (Sign)	\$75
19	2.3(5)	Stopped in M/C bay longer than time allowed by signs from adjacent parking bays	\$50 \$60
20	2.3(6)	Stopped in area (Authorised Vehicles Only)	\$100
21	2.4(2)	Stopped on land (Without consent)	\$100
22	2.4(3)	Stopped on land (Contrary to consent)	\$100
23	2.5(1)(a)	Stopped in ACROD (No Permit)	\$200
24	2.5(1)(b)	Stopped in an ACROD bay (displaying a permit not entitled to Permit)	\$200
25	2.6(a)	Failing to park parallel to the kerb	\$50 \$60
26	2.6(b)	Failing to park as close to the kerb as practicable	\$50 \$60
27	2.7	Stopped not wholly within a parking space (angled)	\$50 \$60
28	2.8(1)(a)	Not continuously engaged in loading or unloading Non-commercial vehicle stopped in a loading zone	\$50 \$100
29	2.8(1)(b)	Unauthorised vehicle in a loading zone Not continuously engaged in loading or unloading	\$100 \$60
30	2.8(2)	Stopped a vehicle in a loading zone longer than the time specified	\$50 \$60

Schedule 2			
		Modified Penalties [Clause 8.3]	
Item No.	Offence Clauses	Offence Clauses	Modified
<u>29</u>	2.9(1)(a)	Stopped a vehicle in a fee paying zone not parallel to a kerb	\$50 \$60
<u>30</u>	2.9(1)(b)	Stopped a vehicle in a fee paying zone not as close to a kerb as practicable	\$50 \$60
<u>31</u>	2.9(1)(c)	Stopped a vehicle in a fee paying zone not wholly in a marked bay	\$50 \$60
<u>32</u>	2.9(1)(d)	Stopped a vehicle in a fee paying zone not headed in the direction of the traffic	\$50 \$60
<u>33</u>	2.9(2)	Stopped a vehicle not wholly within a parking bay or metered space	\$50 \$60
<u>34</u>	2.10(1)	Stopped a vehicle on a reserve	\$100
<u>35</u>	2.11	Stopped in bay already occupied	\$50 \$60
<u>36</u>	2.12	A person must not interfere with a ticket issuing machine, fee collection machine or meter	\$100
<u>37</u>	2.13	A person must not operate a ticket issuing machine, fee collection machine or meter other than in accordance with the instructions	\$100
<u>38</u>	2.15(2)(a)	Stopped and failed to display permit properly	\$100
<u>39</u>	2.15(2)(b)	Stopped and failed to display current permit	\$100
<u>40</u>	2.15(2)(c)	Stopped and failed to display permit (specific class)	\$100
<u>41</u>	2.16(4)	Stopped a vehicle contrary to terms of permission	\$75
<u>42</u>	2.17	Stopped after direction to move	\$100
<u>43</u>	2.18	Selling, hiring, giving away or advertising anything in or from a parking facility without authorisation	\$200
<u>44</u>	2.19(1)	Failing to leave a parking station when requested	\$100
<u>45</u>	2.19(2)	Loitering in a parking station	\$100
<u>46</u>	2.20	Causing damage to a parking facility	\$100 \$200
<u>47</u>	2.21	Stopped a vehicle in a parking facility set aside for an event contrary to the conditions	\$50 \$60
<u>48</u>	2.23	Stopped an unauthorised vehicle in area set aside for authorised vehicles	\$100
<u>49</u>	2.24	Stopped on local government property contrary to consent	\$100
<u>50</u>	3.1(a)	Stopped not in direction of traffic	\$75 \$200
<u>51</u>	3.1(b)	Stopped not in direction of traffic (one way street)	\$75 \$200
<u>52</u>	3.1(c)	Stopped without leaving three metres clearance from opposite boundary	\$50 \$60
<u>53</u>	3.1(d)	Stopped without leaving a 1.2 metres from any other vehicle except a motorcycle	\$50 \$60
<u>54</u>	3.1(e)	Cause obstruction to carriageway	\$100 \$200
<u>55</u>	3.2	Stopped on a median strip or road verge	\$75
<u>56</u>	3.3(a)	Exposed a vehicle for sale on any portion of a road or <u>within a parking station</u>	\$75
<u>57</u>	3.3(b)	Stopped an unlicensed vehicle on any portion of a road <u>or within a parking station</u>	\$75

Schedule 2			
		Modified Penalties [Clause 8.3]	
Item No.	Offence Clauses	Offence Clauses	Modified
58	3.3(c)	Left a trailer or caravan on a road or within a parking station unattached to a motor vehicle	\$75
59	3.3(d)	Stopped a vehicle on any portion of a road or within a parking station to conduct non-emergency repairs	\$75
60	3.4(3)(a)	Cause obstruction to a thoroughfare or road (entry and exit)	\$200
61	3.4(3)(b)	Obstruct any thoroughfare in a parking facility	\$100 \$200
62	3.4(3)(c)	Cause an obstruction to an intersection	\$100 \$200
63	3.4(3)(d)	Stopped within 20 metres of an intersection controlled by traffic signals	\$100 \$200
64	3.4(3)(e)	Stopped within 10 metres of an intersection without traffic signals	\$100 \$200
65	3.4(3)(f)	Stopped on a footpath	\$150 \$200
66	3.4(3)(g)	Stopped alongside an excavation etc	\$100
67	3.4(3)(h)	Stopped on a bridge or within a tunnel	\$150 \$200
68	3.4(3)(i)	Stopped within 3 metres of a double white line	\$100
69	3.5(1)	Stopped abreast of another vehicle	\$100 \$200
70	3.6	Stopped on or across driveway	\$100 \$200
71	3.7(a)	Stopped within 1 metre of a fire hydrant	\$50 \$200
72	3.7(b)	Stopped within 3 metres of a public post box	\$50 \$60
73	3.8(1)(a)	Stopped a vehicle within 10 metres of the departure side or within 20 meters of the approach side of a bus bay or zone	\$100 \$200
74	3.8(1)(b)	Stopped a vehicle within 10 metres of the departure side or within 20 meters of the approach side of a pedestrian crossing	\$100 \$200
75	3.8(1)(c)	Stopped a vehicle within 10 metres of the departure side or within 20 meters of the approach side of a children's crossing	\$100 \$200
76	3.8(1)(d)	Stopped a vehicle within 10 metres of the departure side or within 20 meters of the approach side of a railway level crossing	\$100 \$200
77	3.8(2)(a)	Stopped a vehicle within 3 metres of the departure side or within 10 meters of the approach side of a pedestrian crossing not at intersection	\$100 \$200
78	3.8(2)(b)	Stopped a vehicle within 3 metres of the departure side or within 10 meters of the approach side of a bicycle crossing with crossing lights not at intersection	\$100 \$200
79	3.9(1)(a)	Return to area within one hour on same length of carriageway	\$50 \$60
80	3.9(2)	Move vehicle within parking station to avoid time limitation	\$50 \$60
81	3.10(d)(i)	Stopped in Mall (Not in service zone)	\$50 \$60
82	3.10(d)(ii)	Stopped in Mall (Not during permitted period)	\$100
83	3.10(d)(iii)	Stopped in Mall (Not load/unload)	\$50 \$60
84	3.10(d)(iv)	Stopped in Mall (More than 30 minutes)	\$50 \$60

Schedule 2			
		Modified Penalties [Clause 8.3]	
Item No.	Offence Clauses	Offence Clauses	Modified
85	3.11(1)	Stopped in Public Bus bay	\$200
86	3.11(2)(a)	Not pick up/set down (Public Bus)	\$100
87	3.11(2)(b)	Not pick up/set down or Longer than 15 mins (Charter vehicle)	\$100
88	3.12	Stopped in Charter Vehicle bay	\$120
89	3.13(1)	Stopped other than a Taxi in a Taxi zone	\$120
90	3.13(2)	Left a Taxi unattended in a Taxi zone	\$100
91	3.14(8)	Stopped in work zone	\$100
92	3.15(a)	Stopped an unauthorised vehicle in a shared zone	\$100
93	3.15(b)	Stopped an unauthorised vehicle in a parking bay within a shared zone	\$100
94	3.15(c)	Stopped an unauthorised vehicle in a shared zone not engage in picking up or dropping off.	\$50 \$60
95	3.15(d)	Stopped an unauthorised vehicle in a shared zone not engaged in loading/unloading or collection of waste	\$50 \$60
96	3.16(1)(a)	Stopped a vehicle or combination of vehicles longer than 7.5 metres or exceeding GVM of 4.5 tonnes for more than 1 hour unless picking up or setting down	\$50 \$60
97	3.16(1)(b)	Stopped a vehicle or combination of vehicles longer than 7.5 metres or exceeding GVM of 4.5 tonnes not within a designated bay.	\$50 \$60
98	4.1 (1) (a)	Stopped in a metered space and failed to pay the fee	\$50 \$60
99	4.1 (1) (b)	Stopped in a ticket machine zone and failed to pay the fee	\$50 \$60
100	4.1(2)(a)	Stopped in a metered space contrary to sign	\$50 \$60
101	4.1(2)(b)	Stopped in a ticket machine zone contrary to sign	\$50 \$60
102	4.2(a)	Stopped against an expired meter	\$50 \$60
103	4.2(b)	Stopped against meter (Longer than time)	\$50 \$60
104	4.23 (1)(a)	Stopped failed to display unexpired ticket (T/M Zone)	\$50 \$60
105	4.23 (1)(b)	Stopped failed to display ticket properly (T/M Zone)	\$50 \$60
106	4.4	Stopped against a hooded meter or ticket machine or stopped in a reserved area	\$100
107	4.5(1)(a)	Stopped contrary to sign in a fee paying zone	\$50 \$60
108	4.5(1)(b)	Stopped in a fee paying zone for longer than the maximum permitted period	\$50 \$60
109	5.1	Entering a parking station without authorisation or ticket	\$100
110	5.2(1)(a)	Stopped failed to pay fee on demand (Parking Station)	\$100
111	5.2(1)(b)	Stopped failed to pay fee in ticket issuing machine area (Parking Station)	\$50 \$60
112	5.2(1)(c)	Stopped failed to pay fee to a fee collection machine (Parking Station)	\$50 \$60
113	5.4(1)(a)	Remove vehicle without paying fee (Parking Station)	\$100
114	5.4(1)(b)	Failed to pay fee notice within 3 days (Parking Station)	\$100

Schedule 2			
		Modified Penalties [Clause 8.3]	
Item No.	Offence Clauses	Offence Clauses	Modified
115	5.5	Return within one hour (Parking Station)	\$50 \$60
116	5.6	Failed to enter or exit through an authorised entry/exit (Parking Station)	\$100
117	5.7(2)	Stopped not carrying at least one other person (Parking Station)	\$50 \$60
118	5.7(3)	Loitering (Parking Station)	\$50 \$60
119	6.5(a)	Displayed altered parking permit	\$500
120	6.5(b)	Produced an altered parking permit	\$500
121	6.7	Failure to remove an expired/revoked permit from vehicle	\$50 \$60
122	7.4	Impersonating an authorised person	\$100
123	7.5	Obstruct an authorised person	\$100
124	7.6	Removal of an authorised notice from a vehicle	\$100
125	7.7(a)	Set up a fraudulent parking sign	\$100
126	7.7(b)	Remove, deface or misuse a City sign or property	\$100
127	7.7(c)	Deface a parking meter, sign, ticket issuing or fee collection machine	\$100
128	7.8(a)	Displayed altered ticket (Parking Facility)	\$500
129	7.8(b)	Produced an altered ticket	\$500
130	7.9(2)	Deface or remove a mark made by an authorised person	\$100
131	7.124	Damage, interfere with or obstruct a parking detection device	\$500
132		Any other clause not contained in this list	\$50 \$60

SCHEDULE 3 – FORM 1
NOTIFICATION OF IMPOUNDMENT OF VEHICLE

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

To: [1].....

of: [2].....

Department of Transport records indicate that you are the registered owner of the vehicle detailed below and notice is hereby given that the vehicle has been impounded in accordance with the provisions of the Local Government Act 1995.

Vehicle Registration No: [3]

Impounded from: [4]

Between: and

Date: [5]..... Time [6].....

The vehicle has been taken to a secure facility at the following address:

[7].....

.....

and is available for release, after payment has been processed (see below), between the following hours:

Monday to Friday:

[8].....

Prior to the release of the vehicle all necessary payments must be paid, in full, at the Customer Service Centre, Ground Floor, Council House, 27 St George's Terrace, PERTH, which is open from 8.30am until 5.00pm Monday - Friday (excluding Public Holidays) or in such alternative location as may be directed by an authorised person. Payments can be made by either cash or cheque and EFTPOS facilities are also available.

The following documentation is required before payment can be accepted and release of the vehicle is permitted:

- Current Vehicle Registration Document.
- Drivers licence or other legal form of identification.
- Payment receipt (required for vehicle release at secure facility).

IT IS A REQUIREMENT THAT ALL PAYMENTS ARE RECEIVED PRIOR TO THE RELEASE OF THE VEHICLE.

If you have an inquiry in regards to this notice (or monies owing to date), please call Compliance Parking Services between 9:00am and 4:30pm Monday to Friday (excluding Public Holidays).

Costs: Vehicle impound fee: [9].....
 Additional days storage fee or part thereof [10].....

1. Subject to clause 2 below, if your vehicle is not collected within two (2) months after the date of this notice the City may either;
 - (a) under section 3.46 of the *Local Government Act 1995* refuse to allow the vehicle to be collected until the City's costs of removing and keeping the vehicle have been paid to the City; or
 - (b) under section 3.47 of the *Local Government Act 1995* sell or otherwise dispose of the vehicle and credit the money received from that sale or disposal to the City's trust fund except to the extent required to meet the cost and expenses incurred by the City in the removing, impounding and selling of the vehicle.

2. If the Local Government has made a declaration that in accordance with 3.40A (4) of the *Local Government Act 1995* the vehicle is an abandoned wreck then the vehicle may be disposed of within 7 days of that declaration being made.

If you are convicted of an offence against this Local Law, section 3.48 of the *Local Government Act 1995* allows the City to recover from you its outstanding expenses incurred in the removing, impounding and selling of the vehicle.

Take note: Unless all fees are paid for and the vehicle collected within two months from the date of impounding, the City of Perth may sell the subject vehicle.

- [1] Name of owner.
- [2] Address of owner.
- [3] Vehicle registration number.
- [4] Street name (location where vehicle impounded from).
- [5] Date vehicle impounded.
- [6] Time vehicle impounded.
- [7] Address of secure location vehicle impounded to.
- [8] Hours of business.
- [9] Cost of vehicle impound fee.
- [10] Cost of additional days storage fee.

Dated this day of 2010.

The Common Seal of the)
City of Perth was)
affixed by authority of a)
a resolution of the Council)
in the presence of)

MS LISA SCAFFIDI
The Rt Hon the Lord Mayor

MR FRANK EDWARDS
Chief Executive Officer

*Local Government Act 1995***CITY OF PERTH****PARKING AMENDMENT LOCAL LAW 2015**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Perth resolved on **<insert date>** to make the following local law.

1. Citation

This local law may be cited as the *City of Perth Parking Amendment Local Law 2015*.

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 *City of Perth Parking Local Law 2010*, as published in the *Government Gazette* on 15 February 2011, and amended as published in the *Government Gazette* on 20 December 2011 and 3 September 2013, is referred to as the Principal Local Law. The Principal Local Law is amended.

4. Arrangement deleted

Delete the Arrangement.

5. Clause 1.4 amended

Clause 1.4 is amended as follows:

- (a) Delete the definition for “**ACROD sticker**”;
- (b) Delete the definition of “**parking bay for people with a disability**”;
- (c) In the definition for “**no stopping sign**” after the words “in the Code” insert “and the definition of “Sign” within this local law”;
- (d) In the definition of “**parking permit**” after the words “by the City” insert “and includes both written and electronic permits”;
- (e) Insert each of the following definitions in alphabetical order:

“**disability parking permit**” has the meaning given to it in the *Local Government (Parking for People with Disabilities) Regulations 2014*;

“electronic parking detection device” means an electronic device placed in any position to detect and record the parking time of a vehicle on any road, parking facility, or other public place and includes any instrument, display panel or transmitting apparatus associated with the device;

“parking bay for people with disabilities” has the same meaning given to it under the definition “parking bay” in the *Local Government (Parking for People with Disabilities) Regulations 2014*;

6. Clause 2.3 amended

Clause 2.3 amended as follows:

- (a) delete subclause 2.3(1)(d)(ii) and insert -
 - (ii) the vehicle displays a disability parking permit in which case the vehicle may be parked (except in a parking area for people with disabilities) in accordance with Regulation 174(2) of the Code; and
- (b) in subclause 2.3(1)(e) -
 - (i) after the words “metered spaces unless a” insert “motor”; and
 - (ii) after the words “needed to park that” insert “motor”.

7. Clause 2.5 deleted

Delete Clause 2.5 and insert:

2.5 DELETED

8. Clause 2.8 amended

Clause 2.8 is amended as follows:

- (a) in subclause 2.8(1)(a) -
 - (i) delete the words “and a person is continuously engaged in loading or unloading goods to or from that vehicle; or”; and
 - (ii) after the words “is a commercial vehicle” insert “or an authorised vehicle; and”; and
- (b) delete subclause 2.8(1)(b) and insert -
 - (b) a person is continuously engaged in loading or unloading goods to or from that vehicle;

9. Clause 3.3 amended

Clause 3.3 is amended by inserting “or within a parking station” after the words “any portion of a road”.

10. Clause 4.1 amended

Subclause 4.1(1)(b) is amended by inserting “for each parking bay” after the words “referable to the zone”.

11. Clause 4.3 amended

Clause 4.3 is amended as follows:

- (a) in subclause 4.3(2), before the words “Where more than one parking ticket”, insert “ Unless subclause (3) applies,”; and
- (b) after subclause 4.3(2) insert -
 - (3) Where a trailer is attached to a vehicle, a parking ticket is to be displayed inside the vehicle for each occupied parking bay as permitted under this local law.

12. Clause 5.9 deleted

Delete clause 5.9.

13. Part 6 title amended

Delete the words “**RESIDENTIAL PARKING**” and insert “**PARKING PERMITS**”.

14. New clause 6.9

After clause 6.8 insert:

6.9 Councillor parking permit

- (1) The City may issue to any member of the Council a councillor parking permit and may vary or revoke a permit at any time.
- (2) The holder of a councillor parking permit is exempt from those clauses of this local law specified in the permit.
- (3) The exemption conferred by subclause (2) applies only -
 - (a) if the councillor parking permit is displayed inside the vehicle and is clearly visible to and able to be read by an authorised person from outside the vehicle at all times;
 - (b) if the councillor parking permit is valid; and

- (c) if the holder of the councillor parking permit is carrying out his or her duties or performing his or her functions as a member of the Council.
- (4) A councillor parking permit ceases to be valid -
- (a) when the holder of the permit ceases to be a member of the Council;
- (b) after the expiry date specified in the permit; or
- (c) when revoked by the City.

and shall be returned to the City on the occurrence of any of the above events.

15. Schedule 2 amended

Delete Schedule 2 and insert:

SCHEDULE 2

CITY OF PERTH PARKING LOCAL LAW 2010

MODIFIED PENALTIES

[Clause 8.3]

Item No.	Offence Clauses	Modified Penalty
1	2.3(1)(a)	\$120
2	2.3(1)(b)	\$120
3	2.3(1)(c)	\$200
4	2.3(1)(d)	\$60
5	2.3(1)(e)	\$60
6	2.3(1)(f)	\$60
7	2.3(1)(g)	\$100
8	2.3(2)(a)	\$200
9	2.3(2)(b)	\$200
10	2.3(2)(c)	\$200
11	2.3(2)(d)	\$75
12	2.3(2)(e)	\$200
13	2.3(2)(f)	\$200
14	2.3(2)(g)	\$200
15	2.3(2)(h)	\$200
16	2.3(3)	\$75
17	2.3(4)(a)	\$75
18	2.3(4)(b)	\$75
19	2.3(5)	\$60
20	2.3(6)	\$100

Item No.	Offence Clauses	Modified Penalty
21	2.4(2)	\$100
22	2.4(3)	\$100
23	2.6(a)	\$60
24	2.6(b)	\$60
25	2.7	\$60
26	2.8(1)(a)	\$100
27	2.8(1)(b)	\$60
28	2.8(2)	\$60
29	2.9(1)(a)	\$60
30	2.9(1)(b)	\$60
31	2.9(1)(c)	\$60
32	2.9(1)(d)	\$60
33	2.9(2)	\$60
34	2.10(1)	\$100
35	2.11	\$60
36	2.12	\$100
37	2.13	\$100
38	2.15(2)(a)	\$100
39	2.15(2)(b)	\$100
40	2.15(2)(c)	\$100
41	2.16(4)	\$75
42	2.17	\$100
43	2.18	\$200
44	2.19(1)	\$100
45	2.19(2)	\$100
46	2.20	\$200
47	2.21	\$60
48	2.23	\$100
49	2.24	\$100
50	3.1(a)	\$200
51	3.1(b)	\$200
52	3.1(c)	\$60
53	3.1(d)	\$60
54	3.1(e)	\$200
55	3.2	\$75
56	3.3(a)	\$75
57	3.3(b)	\$75
58	3.3(c)	\$75
59	3.3(d)	\$75
60	3.4(3)(a)	\$200
61	3.4(3)(b)	\$200
62	3.4(3)(c)	\$200
63	3.4(3)(d)	\$200

Item No.	Offence Clauses	Modified Penalty
64	3.4(3)(e)	\$200
65	3.4(3)(f)	\$200
66	3.4(3)(g)	\$100
67	3.4(3)(h)	\$200
68	3.4(3)(i)	\$100
69	3.5(1)	\$200
70	3.6	\$200
71	3.7(a)	\$200
72	3.7(b)	\$60
73	3.8(1)(a)	\$200
74	3.8(1)(b)	\$200
75	3.8(1)(c)	\$200
76	3.8(1)(d)	\$200
77	3.8(2)(a)	\$200
78	3.8(2)(b)	\$200
79	3.9(1)(a)	\$60
80	3.9(2)	\$60
81	3.10(d)(i)	\$60
82	3.10(d)(ii)	\$100
83	3.10(d)(iii)	\$60
84	3.10(d)(iv)	\$60
85	3.11(1)	\$200
86	3.11(2)(a)	\$100
87	3.11(2)(b)	\$100
88	3.12	\$120
89	3.13(1)	\$120
90	3.13(2)	\$100
91	3.14(8)	\$100
92	3.15(a)	\$100
93	3.15(b)	\$100
94	3.15(c)	\$60
95	3.15(d)	\$60
96	3.16(1)(a)	\$60
97	3.16(1)(b)	\$60
98	4.1(1)(a)	\$60
99	4.1(1)(b)	\$60
100	4.1(2)(a)	\$60
101	4.1(2)(b)	\$60
102	4.2(a)	\$60
103	4.2(b)	\$60
104	4.3(1)(a)	\$60
105	4.3(1)(b)	\$60
106	4.4	\$100
107	4.5(1)(a)	\$60

Item No.	Offence Clauses	Modified Penalty
108	4.5(1)(b)	\$60
109	5.1	\$100
110	5.2(1)(a)	\$100
111	5.2(1)(b)	\$60
112	5.2(1)(c)	\$60
113	5.4(1)(a)	\$100
114	5.4(1)(b)	\$100
115	5.5	\$60
116	5.6	\$100
117	5.7(2)	\$60
118	5.7(3)	\$60
119	6.5(a)	\$500
120	6.5(b)	\$500
121	6.7	\$60
122	7.4	\$100
123	7.5	\$100
124	7.6	\$100
125	7.7(a)	\$100
126	7.7(b)	\$100
127	7.7(c)	\$100
128	7.8(a)	\$500
129	7.8(b)	\$500
130	7.9(2)	\$100
131	7.14	\$500
132	Other	\$60

The Common Seal of the)
City of Perth was affixed)
on **<insert date>**)
by the authority of the)
Council in the presence of)

THE RT HON THE LORD MAYOR
MS LISA-M. SCAFFIDI

CHIEF EXECUTIVE OFFICER
MR GARY STEVENSON PSM

CONFIDENTIAL ITEM NO: 7

REMOVAL OF THE RAINE SQUARE PEDESTRIAN OVERPASS

RECOMMENDATION:

(APPROVAL)

That Council:

- 1. approves the removal of the Raine Square Pedestrian Overpass;***
- 2. supports in principle the inclusion of adequate funds in the 2015/16 budget to pay for the removal of the overpass and the make good of the Raine Square development in accordance with the provisions of the current easement agreement;***
- 3. authorises the Chief Executive Officer to liaise and negotiate all necessary agreements with relevant stakeholders to effect the removal of the Raine Square pedestrian overpass and satisfying the easement agreement obligations.***

BACKGROUND:

FILE REFERENCE: P1025189
REPORTING OFFICER: Garry Dunne, Director City Services
RESPONSIBLE DIRECTOR: Gary Stevenson, Chief Executive Officer
DATE: 28 January 2015
MAP / SCHEDULE: N/A

In accordance with Section 5.23(2)(e)(ii) of the *Local Government Act 1995*, this item is confidential and will be distributed to the Elected Members under separate cover.