



**Cook Shire**  
**COUNCIL**

# Cook Shire Council

## Subordinate Local Law No. 5 (Parking) 2016

### CONSOLIDATED VERSION NO.1

As in force on 20 September 2016

Adopted by Cook Shire Council on 20 September 2016 pursuant to section 32 of the *Local Government Act 2009*

**Style Definition:** TOC 4: Tab stops: 15.5 cm, Left + 16 cm, Right, Leader: ... + Not at 5.25 cm + 15.87 cm

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## Part 1 Preliminary

### 1 Short title

This subordinate local law may be cited as Subordinate Local Law No. 5 (Parking) 2016.

### 2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 5 (Parking) 2016*, which provides for the exercise of local government powers authorised under the TORUM Act.
- (2) The purpose is to be achieved by providing for—
  - (a) the establishment of traffic areas and off-street regulated parking areas; and
  - (b) the persons who may be issued with a permit to park a vehicle contrary to an indication on an official traffic sign; and
  - (c) the vehicles that can be issued with commercial vehicle identification labels; and
  - (d) the infringement notice penalty amounts for minor traffic offences.

### 3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 5 (Parking) 2016* (the *authorising local law*).

### 4 Definitions

Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.

## Part 2 Declaration of parking areas for the TORUM Act

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

- (1) For section 5(1) of the authorising local law, the whole local government area is declared to be a traffic area.
- (2) For section 5(2) of the authorising local law the boundaries of the traffic area are the boundaries of the local government area.

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

- (1) For section 6(1) of the authorising local law, each area of land indicated by hatching in the map in schedule 2 is declared to be an off-street regulated parking area.
- (2) For section 6(2) of the authorising local law, the boundaries of each off-street regulated parking area are indicated by bold lines circumscribing the hatched areas on the maps in schedule 2.

**Part 3 Parking contrary to parking restriction****7 Parking permits issued by local government—Authorising local law, s 7(2)**

For section 7(2) of the authorising local law, the persons mentioned in column 2 of schedule 3 may be issued with the corresponding permit mentioned in column 1 of schedule 3.

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

For section 8(2) of the authorising local law, the vehicles that may be issued<sup>1</sup> with a commercial vehicle identification label mentioned in section 8(1) of the authorising local law are any vehicle<sup>2</sup> which is used for business that requires the regular use of loading zones.

**Part 4 Minor traffic offence infringement notice penalties****9 Infringement notice penalty amounts—Authorising local law, s 9**

- (1) For section 9 of the authorising local law, the infringement notice penalty amount for an offence mentioned in column 1 of schedule 4 is the corresponding amount stated in column 2 of schedule 4.

<sup>1</sup> See *Subordinate Local Law No. 1 (Administration) 2016* for relevant criteria and conditions regarding applications for a commercial vehicle identification label.

<sup>2</sup> See definition of motor vehicle in the TORUM Act.

## **Schedule 1 Declaration of traffic area**

### Section 5

*This schedule has been intentionally left blank*

## Schedule 2 Declaration of off-street regulated parking areas

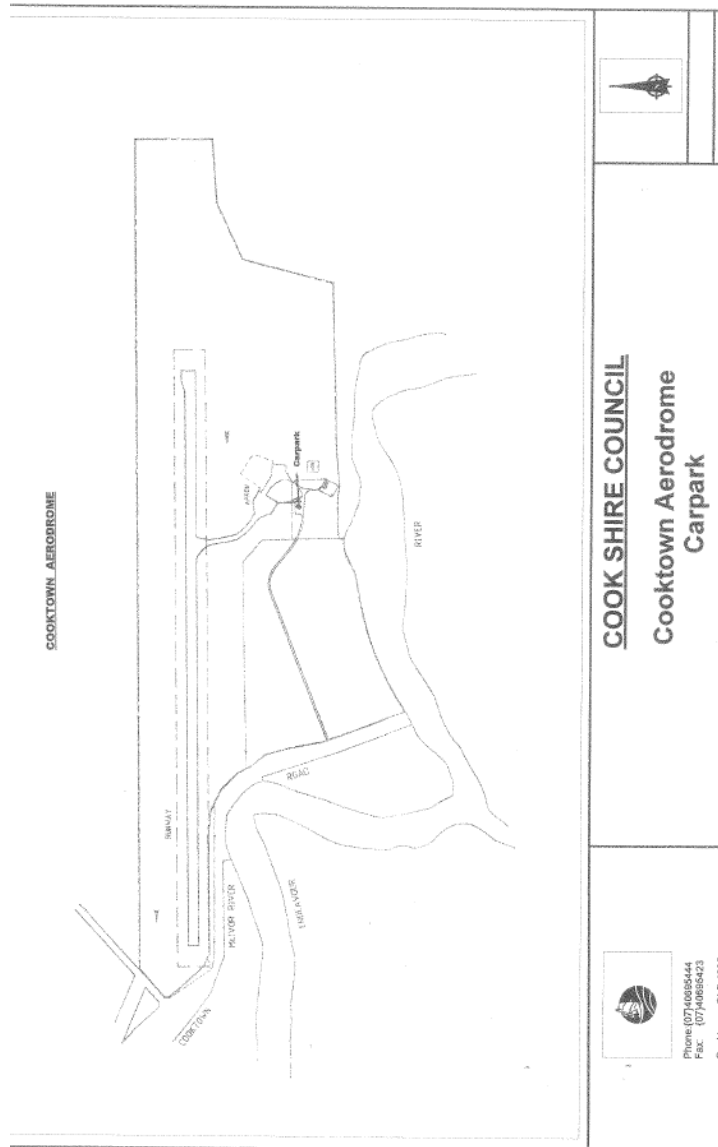
Section 6

### PART 1

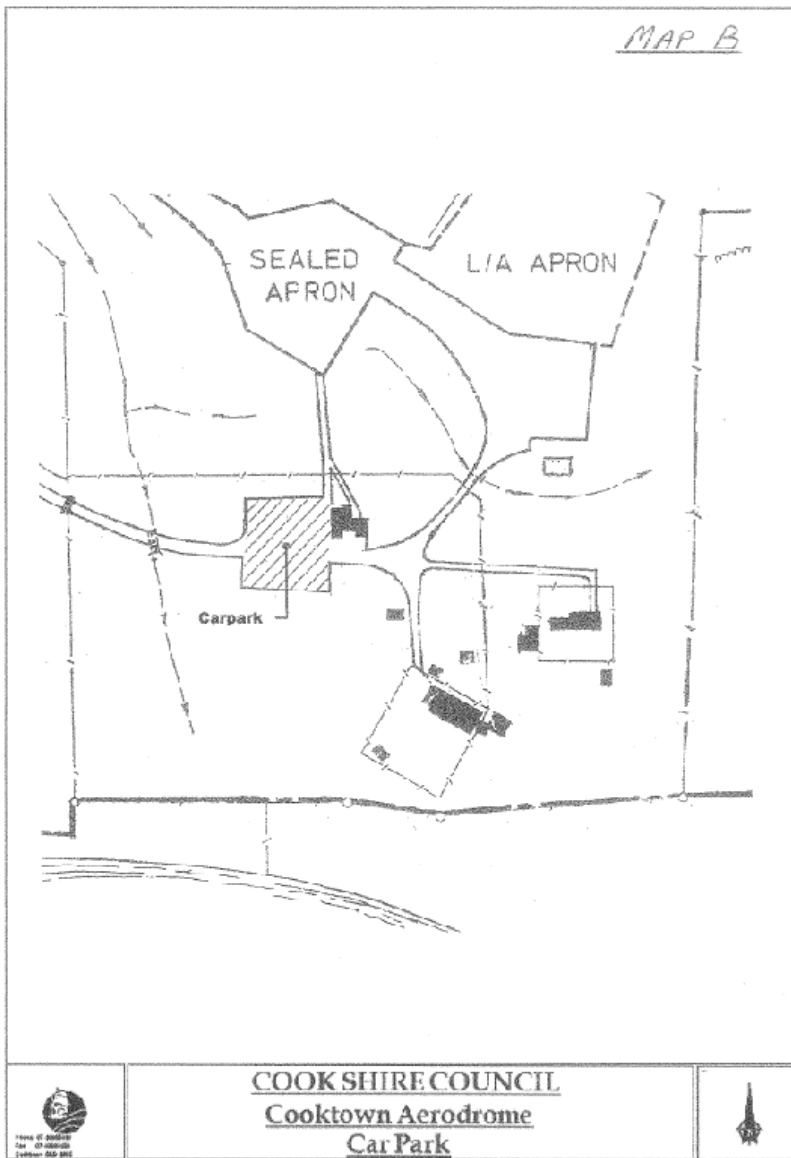
Declared Off-Street Regulated Parking Area	Map – Part 2	Location
Cooktown Aerodrome Carpark as identified in Schedule 2, Part 2	A & B	Cooktown Aerodrome, Cooktown Development Road, Cooktown, Qld, 4895
<del>Cooktown Racecourse RV parking area as identified in Schedule 2, Part 2</del>	<del>C</del>	<del>Racecourse Road, Cooktown, Qld, 4895</del>
Webber Esplanade (Lease C) Carpark as identified in Schedule 2, Part 2	C	Part of Lot 1 on CP889652 adjacent to part of Lot 2 on CP889652 on Charlotte Street, Cooktown Qld 4895
Webber Esplanade Carpark as identified in Schedule 2, Part 2	D	Lot 2 on CP889652, adjacent to Charlotte Street and Webber Esplanade

**PART 2 – Maps of Declared Off-Street Regulated Parking Areas**

**Map A - Cooktown Aerodrome Carpark**



**Map B - Cooktown Aerodrome Carpark**



[Map](#)



**Map C – Webber Esplanade (Lease C) Carpark**



**Map D – Webber Esplanade Carpark**



### Schedule 3 Persons who may be issued with a Parking Permit

## Section 7

Column 1 Parking Permit	Column 2 Person who may be issued with a permit <sup>1</sup>
works zone permit	A person requiring access to a designated parking space and adjacent footpath for commercial or construction purposes
business parking permit (Category A)	A person requiring access to a designated parking space and adjacent footpath for commercial or fundraising purposes
business parking permit (Category B)	A person who operates a commercial business pursuant to Lease C, located on part of Lot 1 on CP889652, requiring access to a designated parking space in a directly adjacent off-street regulated parking area.
food van parking permit	An operator who has: <ul style="list-style-type: none"> <li>(a) obtained a prescribed activity permit for commercial use of local government controlled areas and roads; and</li> <li>(b) intends to operate on a road or in an area set aside by the local government for food vans to operate.</li> </ul>
residential parking permit	A resident that lives within the local government area and who requires the ability to park contrary to an official traffic sign installed by the local government.

<sup>1</sup> See Schedule 28 of *Subordinate Local Law No. 1 (Administration) 2016* for the documents and materials that must accompany an application for a parking permit, the criteria the local government will consider in deciding whether to grant a permit and the conditions that the local government must impose and may ordinarily impose on a parking permit.

**Schedule 4      Infringement notice penalty amounts for  
certain minor traffic offences**

Section 9

<p style="text-align: center;"><b>Column 1</b> <b>Minor Traffic Offence</b></p>	<p style="text-align: center;"><b>Column 2</b> <b>Infringement notice penalty</b></p>
<p>Paid parking offences provided for in section 106 (Paid Parking Offences) of the <i>Transport Operations (Road Use Management) Act 1995</i></p>	<p>1/2 penalty unit</p>
<p>Parking and stopping offences provided for in part 12 (Restrictions on stopping and parking) of the <i>Transport Operations (Road Use Management —Road Rules) Regulation 2009</i> except for—</p> <ul style="list-style-type: none"> <li>• Section 203 (Stopping in a parking area for people with disabilities)</li> </ul>	<p>1/2 penalty unit</p>
<p>The offence provided for in section 203 (Stopping in a parking area for people with disabilities) of the <i>Transport Operations (Road Use Management —Road Rules) Regulation 2009</i></p>	<p>2 penalty units</p>
<p>All other offences which relate to the parking or stopping of a vehicle as provided for in section 74 (Contravention of official traffic sign an offence) of the <i>Transport Operations (Road Use Management) Act 1995</i></p>	<p>1/2 penalty unit</p>

## Endnotes

### 1 Date to which amendments incorporated

This consolidated version includes all amendments that commenced operation on or before September 2016.

### 2 Table of consolidated versions

Consolidated Version No.	Amendments included	Effective	Notes
1	Amending Subordinate Local Law No.1 (Miscellaneous Subordinate Local Laws) 2016	September	

### 3 List of amending local laws

#### Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2016

date notified in the gazette 19 August 2016  
commenced on date of notification

### 4 List of annotations

#### Schedule 6— Public place activities that are prescribed activities

s a. amd 2016 No.1 s 6

#### Schedule 2— Declared off street regulated parking

pt 1 ins 2016 No. 1 s 13(1)

pt 2 ins 2016 No.1 s 13(2)