

LOCAL GOVERNMENT ACT 1995

# Shire of Toodyay

## Parking and Parking

## Facilities Local Law

2026



Gazette Date: t.b.a.

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Under the powers conferred by the *Local Government Act 1995* and under all other powers, the Council of the Shire of Toodyay resolved to make the following Local Law on the ..... day of .....2026

## PART 1 PRELIMINARY

### 1.1 Citation

This local law may be cited as the *Shire of Toodyay Parking and Parking Facilities Local Law 2026* the purpose and effect of which is as follows:

#### **Purpose:**

The purpose of the *Shire of Toodyay Parking and Parking Facilities Local Law 2026* is to:

1. **Regulate the parking and stopping of vehicles** within the Shire in a safe, orderly and consistent manner that supports traffic management, pedestrian movement and public safety throughout the district.
2. **Provide clear, modern and enforceable rules** for the use of parking stalls, parking stations, verges, thoroughfares and designated zones including loading zones, taxi zones, bus zones, mail zones and shared zones.
3. **Ensure appropriate access for priority users**, including people with disabilities, by prescribing lawful use of disability parking permits and establishing offences for misuse. This reflects and strengthens the disability permit framework included in the earlier local law.
4. **Clarify when and how vehicles may be stopped or parked** in areas where stopping is restricted due to safety or traffic considerations, such as near intersections, crossings, bus stops, fire hydrants, crests, curves, bridges and other high-risk locations.
5. **Modernise definitions, exemptions and operational rules** to reflect contemporary practice, including bicycle-rack exemptions, updated terminology consistent with the Road Traffic Code 2000, and clearer provisions regarding private land, long vehicles, heavy vehicles and pre-existing signs.
6. **Support enforcement** through a revised Schedule of Prescribed Offences and modified penalties appropriate for

a regional Shire context, replacing outdated penalty levels and structures contained in earlier local laws.

**Effect:**

The effect of the *Parking and Parking Facilities Local Law 2026* is to:

1. **Establish legally binding requirements** for the stopping and parking of vehicles throughout the district, creating offences for non-compliance and enabling infringement notices to be issued under section 9.16 of the *Local Government Act 1995*.
2. **Provide authority to the local government and authorised persons** to control parking and stopping by signs, markings, local law provisions and directions, and to require the movement of vehicles when necessary for safety or compliance.
3. **Specify when parking is permitted or prohibited**, including detailed restrictions for specific locations, specific classes of vehicles, and certain activities such as loading, passenger pick-up, verge parking, and vehicle sales or repairs.
4. **Create enforceable concessions and protections** for people with disabilities by regulating how disability parking permits may be used and establishing an offence for misuse of a permit.
5. **Provide exemptions for low-risk users**, such as bicycles parked at bicycle rails or racks, ensuring the local law does not unintentionally penalise these users while still preventing obstruction.
6. **Set out prescribed offences and modified penalties** in Schedule 2 so that infringements can be consistently issued for breaches of the local law. This replaces the outdated penalty schedule and maximum penalties contained in the previous local law.
7. **Repeal and replace the previous Parking and Parking Facilities Local Law**, modernising the regulatory framework to ensure clarity, consistency and alignment with current legislation and enforcement practice.

## **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 Shire of Toodyay Parking Facilities Local Law published in the Government Gazettes of 5 May 2000 (page 2136) is repealed.

### 1.4 Interpretation

(1) In this Local Law unless the context otherwise requires:

<b>Term</b>	<b>Meaning</b>
<b>Act</b>	The Local Government Act 1995.
<b>Authorised Person</b>	A person appointed by the local government under section 9.10 of the Act to perform any of the functions of an authorised person under this local law.
<b>Authorised Vehicle Only</b>	A parking bay designated for Shire, emergency, or otherwise authorised vehicles.
<b>Bicycle</b>	Has the meaning given to it in the <i>Road Traffic Code 2000</i> .
<b>bicycle rail or bicycle rack</b>	A structure provided or approved by the local government for the purpose of securing bicycles.
<b>Bus</b>	Has the meaning given to it in the <i>Road Traffic Code 2000</i> ;
<b>Bus Embayment</b>	Has the meaning given to it in the <i>Road Traffic Code 2000</i> ;
<b>Bus stop</b>	Has the meaning given to it in the <i>Road Traffic Code 2000</i> ;
<b>Bus zone</b>	Has the meaning given to it in the <i>Road Traffic Code 2000</i> ;
<b>Caravan</b>	A vehicle that is fitted or designed to allow human habitation and which is drawn by another vehicle, or which is capable of self-propulsion;
<b>Carriageway</b>	Has the meaning given to it in the Road Traffic Code 000 and includes any embayment's at the side or centre of the

Term	Meaning
	carriageway, used for the stopping or parking of vehicles.
<b>Centre</b>	in relation to a carriageway, means the line or a series of lines, marks or other indications that delineate vehicular traffic travelling in different directions, or, in the absence of any such lines, marks or other indications, the middle of the main travelled portion of the carriageway;
<b>CEO</b>	The Chief Executive Officer of the local government;
<b>Children's Crossing</b>	has the meaning given to it in the Code;
<b>Code</b>	The <i>Road Traffic Code 2000</i> ;
<b>Commercial Vehicle</b>	A motor vehicle constructed for the conveyance of goods or merchandise, or for the conveyance of materials used in any trade, business, industry or work whatsoever, other than a motor vehicle for the conveyance of passengers, and includes any motor vehicle that is designed primarily for the carriage of persons, but which has been fitted or adapted for the conveyance of the goods, merchandise or materials referred to, and is in fact used for that purpose;
<b>Continuous dividing line</b>	(a) a single continuous dividing line only; (b) a single continuous dividing line to the left or right of a broken dividing line; or (c) two parallel continuous dividing lines.
<b>disability parking permit</b>	A valid permit issued under an approved disability parking scheme recognised in Western Australia, including an Australian Disability Parking Permit and any associated card or entitlement recognised under that scheme.  <i>For the purposes of this local law, a disability parking permit is only taken to apply where the person with the disability to whom the</i>

<b>Term</b>	<b>Meaning</b>
	<i>permit relates is either the driver of, or a passenger in, the vehicle at the time of parking or stopping.</i>
<b>District</b>	The district of the local government;
<b>Driver</b>	Any person driving or in control of a vehicle;
<b>Edge line</b>	For a carriageway, means a line marked along the carriageway at or near the far left or far right of the carriageway
<b>Emergency Vehicle</b>	Has the meaning given to it in the <i>Road Traffic Code 2000</i> ;
<b>Footpath</b>	includes every footpath, pedestrian access way or other place - (a) intended for the use of pedestrians only, or in the case of a dual use path, for the use of pedestrians and cyclists only; or (b) habitually used by pedestrians and not by vehicles, or, in the case of a dual use path, by pedestrians and cyclists and not by vehicles other than bicycles;
<b>GVM</b>	(gross vehicle mass) has the meaning given to it in the <i>Road Traffic Code 2000</i> ;
<b>Heavy Vehicle</b>	A vehicle with a GVM exceeding 4.5 tonnes or a length exceeding 7.5 metres.
<b>Loading Zone</b>	A parking stall or area set aside for use by commercial vehicles for the loading or unloading of goods and indicated by signs marked 'Loading Zone';
<b>Local Government</b>	the Shire of Toodyay;
<b>Long Vehicle</b>	A vehicle or combination exceeding 8 metres in length.
<b>Mail zone</b>	has the meaning given to it in the <i>Road Traffic Code 2000</i> ;

<b>Term</b>	<b>Meaning</b>
<b>Median Strip</b>	has the meaning given to it in the <i>Road Traffic Code 2000</i> ;
<b>Metered Space</b>	A section or part of a metered zone that is adjacent to a parking meter and that is marked or defined by painted lines or by metallic studs or similar devices for the purpose of indicating where a vehicle may be parked on payment of a fee or charge;
<b>Metered Zone</b>	Any thoroughfare or reserve, or part of any thoroughfare or reserve, in which parking meters regulate the parking of vehicles;
<b>Motorcycle</b>	has the meaning given to it in the <i>Road Traffic Code 2000</i> ;
<b>Motor Vehicle</b>	A self-propelled vehicle that is not operated on rails; and includes a trailer, semi-trailer or caravan while attached to a motor vehicle, but does not include a power assisted pedal cycle;
<b>No Parking Area</b>	has the meaning given to it in the <i>Road Traffic Code 2000</i> ;
<b>No Parking Sign</b>	A sign with the words 'NO PARKING' in red letters on a white background, or the letter 'P' within a red annulus and a red diagonal line across it on a white background;
<b>no stopping area</b>	has the meaning given to it in the <i>Road Traffic Code 2000</i> ;
<b>no stopping sign</b>	A sign with the words 'NO STOPPING' or 'NO STANDING' in red letters on a white background or the letter 'S' within a red annulus and a red diagonal line across it on a white background
<b>Occupier</b>	has the meaning given to it in the Act;
<b>Owner</b>	Where used in relation to a vehicle licensed under the <i>Road Traffic (Vehicles) Act 2012</i> ,

Term	Meaning
	<p>the person in whose name the vehicle is registered;</p> <p>Where used in relation to any other vehicle, the person who owns, or is entitled to possession of, that vehicle; and</p> <p>Where used in relation to land, has the meaning given to it in the Act.</p>
<b>Park</b>	<p>in relation to a vehicle, means to permit a vehicle, whether attended or not by any person, to remain stationary, except for the purpose of—</p> <ul style="list-style-type: none"> <li>• avoiding conflict with other traffic; or</li> <li>• complying with the provisions of any written law; or</li> <li>• taking up or setting down passengers or goods (for no longer than 2 minutes).</li> </ul>
<b>Parking Area</b>	<p>Has the meaning given to it in the <i>Road Traffic Code 2000</i> and includes a portion of a carriageway or an area to which a permissive parking sign applies.</p>
<b>Parking Facilities</b>	<p>Includes land, buildings, shelters, metered zones, metered spaces, parking stalls and other facilities open to the public generally for the parking of vehicles with or without charge, and signs, notices and facilities used in connection with the parking of vehicles;</p>
<b>Parking Region</b>	<p>The area described in the Schedule 1;</p>
<b>Parking Stall</b>	<p>A section or part of a thoroughfare or of a parking station which is marked or defined by painted lines, metallic studs, coloured bricks or pavers or similar devices for the purpose of indicating where a vehicle may be parked, but does not include a metered space;</p>
<b>Parking Station</b>	<p>Any land, or structure provided for the purpose of accommodating vehicles with or without charge, but does not include a metered zone or metered space;</p>

<b>Term</b>	<b>Meaning</b>
<b>Pedestrian Crossing</b>	Has the meaning given to it in the <i>Road Traffic Code 2000</i> .
<b>Public Place</b>	Any place to which the public has access whether or not that place is on private property;
<b>Reserve</b>	Land which belongs to the local government; of which the local government is the management body under the <i>Land Administration Act 1997</i> ; or which is an "otherwise unvested facility" within section 3.53 of the Act;
<b>Road Traffic Act</b>	The Road Traffic Act 1974;
<b>shared zone</b>	Has the meaning given to it in <b>the</b> <i>Road Traffic Code 2000</i> .
<b>Schedule</b>	A Schedule to this Local Law;
<b>Sign</b>	Includes a traffic sign, inscription, road marking, mark, structure or device approved by the local government on which may be shown words, numbers, expressions or symbols, and which is placed on or near a thoroughfare or within a parking station or reserve for the purpose of prohibiting, regulating, guiding, directing or restricting the stopping or parking of vehicles;
<b>Special Purpose Vehicle</b>	has the meaning given to it in the <i>Road Traffic Code 2000</i> ;
<b>Stop</b>	In relation to a vehicle, means to stop a vehicle and permit it to remain stationary, except for the purposes of avoiding conflict with other traffic or of complying with the provisions of any written law
<b>Symbol</b>	Includes any symbol specified by Australian Standard 1742.11 as amended from time to time and any symbol specified from time to time by Standards Australia for use in the regulation of parking and any reference to

<b>Term</b>	<b>Meaning</b>
	the wording of any sign in this Local Law is taken to include a reference to the corresponding symbol;
<b>Taxi</b>	Has the meaning given to it in the <i>Road Traffic Code 2000</i> .
<b>Taxi zone</b>	Has the meaning given to it in the <i>Road Traffic Code 2000</i> .
<b>Thoroughfare</b>	has the meaning given to it in the Act.
<b>traffic island</b>	Has the meaning given to it in the <i>Road Traffic Code 2000</i> .
<b>Trailer</b>	any vehicle without motive power of its own, designed for attachment to a motor vehicle for the purpose of being towed, but does not include the rear portion of an articulated vehicle, or a side car;
<b>Unattended</b>	in relation to a vehicle, means that the driver is more than 3 metres from the closest point of the vehicle.
<b>Vehicle</b>	has the same meaning as in the <i>Road Traffic Code 2000</i> ; and
<b>Verge</b>	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 Application of particular definitions**

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

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

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

### **1.7 Bicycle parking exemption**

- (1) The provisions of Parts 2, 3 and 4 of this local law do not apply to a bicycle that is lawfully parked at a bicycle rail or bicycle rack provided or approved by the local government.
- (2) For the purposes of subclause (1), a bicycle is taken to be lawfully parked if it is secured in a manner that does not obstruct a footpath, access way, carriageway or any other public place.

### **1.8 Classes of vehicles**

For the purpose of this local law, vehicles are divided into the following classes -

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

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

Where under this Local Law the stopping or parking of vehicles in a thoroughfare is controlled by a sign, the sign is taken to apply to that part of the thoroughfare which –

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

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

The local government may, by resolution, prohibit or regulate, by signs or otherwise, the stopping or parking of any vehicle or any class of vehicles in any part of the parking region, but must do so consistently with the provisions of this local law and the *Road Traffic Code 2000*

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

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

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

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

- (1) A person must not park a vehicle in a parking stall on a thoroughfare otherwise than –
  - (a) parallel to, and as close as practicable to, the kerb;
  - (b) wholly within the stall; and
  - (c) headed in the general direction of the movement of traffic on the side of the thoroughfare on which the vehicle is parked.
- (2) Where a parking stall in a thoroughfare is set out otherwise than parallel to the kerb, a person must park a vehicle wholly within that stall.
- (3) If a vehicle is too long or too wide to fit completely within one stall, the driver must use the minimum number of adjacent stalls necessary to park the vehicle.
- (4) A person must not park a vehicle so that it is partly within and partly outside a parking area.

## **2.3 Parking prohibitions and restrictions in parking stations**

- (1) A person must not---
  - (a) park a vehicle so as to obstruct an entrance to, or an exit from, a parking station, or an access way within a parking station;
  - (b) park a vehicle on any part of a parking station contrary to a sign referable to that part, except with permission of the local government or an authorised person;
  - (c) permit a vehicle to remain parked on any part of a parking station if an authorised person directs the driver to move the vehicle; or
  - (d) park or attempt to park a vehicle in a parking stall in which another vehicle is already parked, except that a motorcycle and a bicycle may be parked together in a stall marked “M/C”, if the bicycle is parked against the kerb.
- (2) A driver displaying a valid disability parking permit may park in a permissive parking stall or station for twice the maximum time allowed, except in a stall designated for people with disabilities.

## **PART 3 PARKING GENERALLY**

### **3.1 Prohibition and regulation of parking by signs**

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

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

- (1) A person must not park a vehicle—
  - (a) in an area set apart for vehicles of a different class;
  - (b) in an area set apart for parking by persons of a different class; or
  - (c) during any period when the parking of vehicles is prohibited by a sign.

- (2) A driver displaying a disability parking permit may park for twice the permitted time, except in an area designated for disability parking.
- (3) A person must not park a vehicle—
  - (a) in a no-parking area;
  - (b) in a parking area other than in accordance with the signs and this local law; or
  - (c) in a stall marked “M/C” unless it is a motorcycle or bicycle.
- (4) A person must not, without prior permission of the local government, the CEO or an authorised person, park a vehicle in an area designated “Authorised Vehicles Only”.
- (5) In a loading zone, a person must not—
  - (a) park a vehicle other than a commercial vehicle being loaded or unloaded with goods; or
  - (b) park a commercial vehicle being loaded or unloaded with goods for more than 30 minutes, unless a sign indicates otherwise.

### **3.2 A. Use of disability parking permit**

- (1) A driver may rely on a disability parking permit for the purposes of this local law only if—
  - (a) the vehicle displays a valid disability parking permit in the manner required by the approved disability parking scheme; and
  - (b) the person with the disability to whom the permit relates is—
    - (i) the driver of the vehicle; or
    - (ii) a passenger in the vehicle at the time the vehicle is parked or stopped.
- (2) A driver using a disability parking permit under subclause (1) may park or stop in accordance with any extended-time concession permitted by this local law, except in an area designated exclusively for disability parking.

- (3) A disability parking permit does not authorise a driver to contravene any other requirement of this local law unless an express concession is provided.

### **3.2 B. Misuse of disability parking permit**

A person must not display, or permit to be displayed, a disability parking permit on a vehicle unless the conditions in clause 2.4 (1) are met.

### **3.3 Parking vehicle on a carriageway**

A person parking a vehicle on a carriageway must park it—

- (a) in the case of a two-way carriageway: as near as practicable to, and parallel with, the left boundary, and headed in the direction of travel;
- (b) in the case of a one-way carriageway: as near as practicable to, and parallel with, either boundary, headed in the direction of travel;
- (c) so that at least 3 metres of carriageway width remains between the vehicle and the far boundary or any dividing line;
- (d) so that the front and rear of the vehicle are not less than 1 metre from any other vehicle (other than a motorcycle or bicycle parked lawfully);
- (e) so that it does not obstruct traffic; and
- (f) wholly within any marked stall where stalls exist.

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

Where a sign associated with a parking area does not indicate “angle parking”, a driver must park:

- (a) parallel to the boundary if adjacent to the boundary of a carriageway; or
- (b) approximately at right angles to the centre of the carriageway if the area is near the centre.

### **3.5 When angle parking applies**

- (1) This clause does not apply to—
- (a) a passenger or commercial vehicle with mass over 3 tonnes; or

- (b) a motorcycle or bicycle.
- (2) Where a sign indicates “angle parking”, a driver must park at approximately 45 degrees to the centre of the carriageway unless otherwise indicated.

### **3.6 General prohibitions on parking**

- (1) A person must not park a vehicle so that any part of it is—
  - (a) between other stationary vehicles and the centre of the carriageway (double parked);
  - (b) on or adjacent to a median strip;
  - (c) obstructing a right-of-way, private drive, or carriageway;
  - (d) alongside or opposite any excavation or obstruction where traffic would be impeded;
  - (e) on or within 10 metres of any part of a carriageway bounded by a traffic island;
  - (f) on a footpath or pedestrian crossing;
  - (g) on a bridge or underpass;
  - (h) between a carriageway boundary and certain continuous double lines with less than 3 metres of clearance;
  - (i) on an intersection, except adjacent to a carriageway boundary not broken by an intersecting carriageway;
  - (j) within 1 metre of a fire hydrant or fire plug;
  - (k) within 3 metres of a public letter box; or
  - (l) within 10 metres of the nearer property line of any intersecting thoroughfare.
- (2) A person must not park within—
  - (a) 10 metres on the departure side of a bus stop or children’s crossing;
  - (b) 20 metres on the approach side of a bus stop or pedestrian/children’s crossing; or
  - (c) 20 metres on either side of a railway level crossing.

### **3.7 Parking on verges**

A person must not park on a verge—

- (a) unless the person is the owner or occupier of the premises adjacent to that verge or is authorised by the occupier;
- (b) if the vehicle is a commercial vehicle, bus, trailer, or caravan unattached to a motor vehicle, except while actively loading or unloading with reasonable expedition; or
- (c) during any period when a sign prohibits parking on that verge.

### **3.8 Limitation on parking of heavy vehicles and long vehicles**

- (1) A person must not park a vehicle with a tare exceeding 3,000 kilograms on a carriageway for more than two hours consecutively.
- (2) A person must not park a vehicle or vehicle combination more than 8 metres in length on a carriageway for more than two hours consecutively.

### **3.9 Authorised person may order a vehicle to be moved**

A driver must not leave a vehicle parked in contravention of this local law after an authorised person has directed the driver to move it.

### **3.10 No parking of vehicles exposed for sale, unlicensed, or under repair**

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

- (a) for the purpose of offering it for sale;
- (b) if the vehicle is not licensed;
- (c) if it is a trailer or caravan unattached to a motor vehicle; or
- (d) for the purpose of effecting repairs, other than the minimum repairs necessary to move the vehicle.

### **3.11 Parking on private land**

- (1) For the purposes of this clause, “land” does not include—
  - (a) land which belongs to the local government;
  - (b) land of which the local government is the management body under the *Land Administration Act 1997*;

- (c) land that is an “otherwise unvested facility” within section 3.53 of the Act;
  - (d) land that is the subject of an agreement referred to in clause 1.6(2); or
  - (e) land identified in Schedule 4.
- (2) A person must not park a vehicle on land without the consent of the owner or occupier of the land.
- (3) Where the owner or occupier gives consent subject to any conditions, a person must comply with those conditions.

### **3.12 Parking on reserves**

A person must not drive or park a vehicle on a reserve except in an area specifically set aside for that purpose or with the approval of the local government.

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

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

- (1) Stopping in a no stopping area
- A driver must not stop a vehicle on a length of carriageway, or in an area, to which a “No Stopping” sign applies.
- (2) Stopping in a no parking area
- A driver must not stop a vehicle on a length of carriageway or in an area to which a “No Parking” sign applies, unless—
- (a) the driver is dropping off or picking up passengers or goods;
  - (b) the vehicle is not left unattended; and
  - (c) the driver drives on within 2 minutes of stopping.
- (Unattended = driver more than 3 metres from the vehicle.)
- (3) Stopping on a yellow edge line
- A driver must not stop at the side of a carriageway marked with a continuous yellow edge line.

## 4.2 Stopping in bays designated for particular vehicles

### (1) Loading Zones

A person must not stop a vehicle in a Loading Zone unless—

- (a) it is a commercial or trade vehicle engaged in loading or unloading goods; or
- (b) it is a vehicle taking up or setting down passengers; and in any event the vehicle must not remain for longer than—
- (c) the time indicated on the “Loading Zone” sign; or
- (d) 30 minutes if no time is indicated.

### (2) Taxi Zones

A driver must not stop a vehicle in a Taxi Zone unless the driver is operating a taxi.

### (3) Bus Zones

A driver must not stop in a Bus Zone unless the vehicle is a public bus or a bus permitted by the words or symbols shown on the sign

### (4) Mail Zones

A person must not stop a vehicle in a Mail Zone

### (5) Other Restricted-Use Bays

A person must not stop a vehicle in a bay or area where a sign indicates that stopping is limited to particular classes of vehicles, persons, or purposes.

## 4.3 Stopping in a shared zone

A driver must not stop a vehicle in a shared zone unless—

- (a) the driver stops in accordance with a parking control sign applying to the area;
- (b) the driver stops in a designated parking bay and is permitted to do so under this local law;
- (c) the driver is dropping off or picking up passengers or goods; or
- (d) the driver is engaged in door-to-door delivery or waste collection.

#### **4.4 Double parking**

- (1) A driver must not stop a vehicle so that any portion of the vehicle is between another stopped vehicle and the centre of the carriageway.
- (2) This clause does not apply where the driver is stopped in traffic or legally angle-parked in a median strip.

#### **4.5 Stopping near an obstruction**

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

#### **4.6 Stopping on a bridge, ramp or similar structure**

- (1) A driver must not stop a vehicle on a bridge, ramp, causeway or similar structure unless—
  - (a) the carriageway is at least as wide on the structure as on the approaches and no signage prohibits stopping; or
  - (b) the driver stops in accordance with a permitted parking bay or sign.
- (2) A driver must not stop in an underpass unless permitted by signage or to take up/set down passengers at an authorised bus stop.

#### **4.7 Stopping on crests, curves and where visibility is limited**

- (1) A driver must not stop a vehicle at a place on a carriageway where—
  - (a) the vehicle is not visible to overtaking traffic from at least 50 metres in a built-up area; or
  - (b) the vehicle is not visible from at least 150 metres outside a built-up area.
- (2) This clause does not apply where a sign indicates stopping is permitted.

#### **4.8 Stopping near a fire hydrant, fire plug or fire station**

- (1) A driver must not stop a vehicle so that any portion is within 1 metre of a fire hydrant or fire plug, or a sign or marking indicating its presence, unless—

- (a) the driver is operating a public bus and stops in a bus zone without leaving the vehicle; or
  - (b) the driver is operating a taxi and stops in a taxi zone without leaving the vehicle.
- (2) A vehicle is “unattended” if the driver is more than 3 metres from it.

#### **4.9 Stopping near a bus stop**

A driver must not stop a vehicle—

- (a) within 20 metres of the approach side of a bus stop; or
- (b) within 10 metres of the departure side of a bus stop;

unless the vehicle is a public bus taking up or setting down passengers or is permitted by sign.

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

A driver must not stop a vehicle so that any portion of the vehicle is on—

- (a) a path;
- (b) a median strip; or
- (c) a traffic island;
- (d) unless stopping is permitted by a parking control sign.

#### **4.11 Stopping on a verge**

- (1) A person must not stop a vehicle on a verge—
- (a) unless the person is the owner or occupier of the premises adjacent to that verge or is authorised by the occupier;
  - (b) if the vehicle is a commercial vehicle, bus, trailer or caravan unattached to a motor vehicle, except while being loaded or unloaded with reasonable expedition; or
  - (c) if a sign prohibits stopping on that verge.
- (2) Loading/unloading must not obstruct any person or vehicle using the footpath or carriageway.

#### **4.12 Obstructing access to and from a path, driveway or access point**

- (1) A driver must not stop a vehicle so that any portion of it obstructs access by vehicles or pedestrians to or from a path.
- (2) A driver must not stop a vehicle on or across a driveway or vehicle access point unless—
  - (a) dropping off or picking up passengers; or
  - (b) stopping in a marked parking stall in accordance with this local law.

#### **4.13 Stopping near a letterbox**

A driver must not stop a vehicle within 3 metres of a public letter box unless—

- (a) the driver is posting or collecting mail; or
- (b) stopping is permitted by a sign.

#### **4.14 Stopping a heavy or long vehicle on a carriageway**

- (1) A person must not stop a vehicle, or a vehicle combination, that—
  - (a) together with any load, is 7.5 metres or more in length; or
  - (b) has a GVM exceeding 4.5 tonnes—on a carriageway in a built-up area for any period exceeding 1 hour, unless engaged in picking up or setting down goods.
- (2) A person must not stop such a vehicle on a carriageway outside a built-up area except on the shoulder or in a designated truck parking bay.

#### **4.15 Stopping in areas designated for bicycle or motorcycle parking**

- (1) A driver of a vehicle (other than a bicycle) must not stop on a length of carriageway where a “Bicycle Parking” sign applies unless dropping off or collecting passengers.
- (2) A driver must not stop a vehicle in an area marked “M/C” or where a “Motorcycle Parking” sign applies unless the vehicle is a motorcycle or the driver is dropping off or collecting passengers.

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

- (1) A person must not leave a vehicle, or any part of a vehicle, in a public place so that it obstructs the use of any part of that public place without permission of the local government.
- (2) A vehicle is not considered in contravention if left for less than 24 hours.

## **PART 5 STOPPING IN ZONES FOR PARTICULAR VEHICLES (Proposed 2026)**

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

A person must not stop a vehicle in a Loading Zone unless:

- (a) the vehicle is being used for commercial or trade purposes and is engaged in the picking up or setting down of goods; or
  - (b) the vehicle is taking up or setting down passengers,
- but, in either case, the vehicle must not remain stopped—
- (c) longer than the time indicated on the “Loading Zone” sign; or
  - (d) longer than 30 minutes if no time is indicated.

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

- (1) A driver must not stop a vehicle in a Taxi Zone unless the driver is operating a taxi.
- (2) A driver must not stop a vehicle in a Bus Zone unless—
  - (a) the vehicle is a public bus; or
  - (b) the vehicle is of a type permitted to stop by the words or symbols shown on or with the “Bus Zone” sign.

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

A person must not stop a vehicle in a Mail Zone.

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

A person must not stop a vehicle in a zone to which a traffic sign applies if stopping the vehicle would be contrary to any limitation—

- (a) regarding classes of persons or vehicles; or
- (b) regarding activities allowed,

as indicated by additional words or symbols on the traffic sign.

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

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

A driver must not stop a vehicle in a shared zone unless—

- (a) the driver stops at a place to which a parking control sign applies and is permitted to stop under this local law;
- (b) the driver stops wholly within a marked parking bay and is permitted to stop in that bay;
- (c) the driver is dropping off or picking up passengers or goods; or
- (d) the driver is engaged in door-to-door delivery or rubbish collection.

#### **6.2 Double parking**

- (1) A driver must not stop a vehicle so that any portion of the vehicle is between another stopped vehicle and the centre of the carriageway.
- (2) This clause does not apply if—
  - (a) the driver is stopped in traffic; or
  - (b) the vehicle is angle-parked in accordance with signage.

#### **6.3 Stopping near an obstruction**

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

#### **6.4 Stopping on a bridge or in an underpass, ramp or causeway**

- (1) A driver must not stop a vehicle on a bridge, causeway, ramp or similar structure unless—
  - (a) the carriageway is at least as wide on the structure as it is on each approach and no sign prohibits stopping; or
  - (b) the driver stops in a marked bay or as permitted by a parking control sign.
- (2) A driver must not stop a vehicle in an underpass unless—
  - (a) the carriageway width is at least equal to that of the approaches and no sign prohibits stopping; or
  - (b) the driver stops a bus in a bus stop or bus zone for the purpose of setting down or taking up passengers.

#### **6.5 Stopping on crests or curves where visibility is limited**

- (1) A driver must not stop a vehicle on, or partly on, a carriageway at a position where visibility of the vehicle to an overtaking driver is less than—
  - (a) 50 metres in a built-up area; or
  - (b) 150 metres outside a built-up area.
- (2) Subclause (1) does not apply where a sign indicates stopping is permitted.

#### **6.6 Stopping near a fire hydrant, fire plug or fire station**

- (1) A driver must not stop a vehicle so that any portion of it is within 1 metre of—
  - (a) a fire hydrant or fire plug; or
  - (b) a sign or road marking indicating the presence of a fire hydrant or fire plug, unless—
    - (i) the driver is operating a public bus and stops in a bus zone without leaving the driver's seat; or
    - (ii) the driver is operating a taxi and stops in a taxi zone without leaving the driver's seat.
- (2) A driver leaves a vehicle "unattended" if the driver is more than 3 metres from the closest point of the vehicle.

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

- (1) A driver must not stop a vehicle so that any portion of the vehicle is—
  - (a) within 20 metres of the approach side of a bus stop; or
  - (b) within 10 metres of the departure side of a bus stop, unless the vehicle is a public bus taking up or setting down passengers or is permitted by a parking control sign.
- (2) For the purposes of measuring distances—
  - (a) distances are measured in the direction in which the driver is travelling; and
  - (b) a trailer attached to a bus is taken to be part of the bus.

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

A driver must not stop a vehicle (other than a bicycle) so that any portion of the vehicle is on—

- (a) a path;
- (b) a median strip; or
- (c) a traffic island,

unless stopping is permitted by a parking control sign.

## **6.9 Stopping on a verge**

- (1) A person must not stop a vehicle on a verge—
  - (a) unless the person is the owner or occupier of the adjacent premises or is authorised by the occupier;
  - (b) if the vehicle is a commercial vehicle, bus, trailer or caravan unattached to a motor vehicle, except when actively being loaded or unloaded with reasonable expedition; or
  - (c) if a sign prohibits stopping on that verge.
- (2) A person loading or unloading under subclause (1)(b) must ensure the vehicle does not obstruct pedestrians or vehicles using a footpath or carriageway

### **6.10 Obstructing access to or from a path, driveway or passageway**

- (1) A driver must not stop a vehicle so that any portion of the vehicle is in front of a path or other place where it obstructs access by vehicles or pedestrians.
- (2) A driver must not stop a vehicle on or across a driveway or other way of access to or from adjacent land unless—
  - (a) the driver is dropping off or picking up passengers; or
  - (b) the vehicle is wholly within a parking stall and permitted to be stopped under this local law.

### **6.11 Stopping near a letterbox**

A driver must not stop a vehicle within 3 metres of a public letterbox unless—

- (a) the driver is posting or collecting mail; or
- (b) stopping is permitted by a parking control sign.

### **6.12 Stopping heavy or long vehicles on a carriageway**

- (1) A person must not stop a vehicle or combination of vehicles that, together with any projection or load—
  - (a) is 7.5 metres or more in length; or
  - (b) has a GVM exceeding 4.5 tonnes—on a carriageway in a built-up area for any period exceeding 1 hour, unless engaged in the loading or unloading of goods.
- (2) A person must not stop such a vehicle or combination on a carriageway outside a built-up area except—
  - (a) on the shoulder of the carriageway; or
  - (b) in a designated truck bay or other area set aside for the parking of heavy vehicles.

### **6.13 Stopping in a bicycle parking area**

A driver of a vehicle (other than a bicycle) must not stop on a length of carriageway to which a “Bicycle Parking” sign applies unless the driver is dropping off or picking up passengers.

#### **6.14 Stopping in a motorcycle parking area**

A driver must not stop a vehicle on a length of carriageway, or in an area, to which a “Motorcycle Parking” sign applies, or in an area marked “M/C”, unless—

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

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

A person must not leave a vehicle, or any part of a vehicle, in a public place so that it obstructs the use of any part of that public place without permission of the local government.

A person does not contravene this clause where the vehicle is left for a period not exceeding 24 hours.

## **PART 7 MISCELLANEOUS**

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

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

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

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

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

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

- (1) An inscription, symbol or other marking on, or associated with, a sign operates and has effect according to its tenor.
- (2) A person who contravenes a direction, prohibition or requirement indicated on, or by, a sign commits an offence under this local law.

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

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

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

Despite anything to the contrary in this local law, the driver of—

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

## **PART 8 OFFENCES AND PENALTIES**

### **8.1 Offences and penalties**

- (1) A person who—
  - (a) fails to do anything required or directed to be done under this local law; or
  - (b) does anything which, under this local law, that person is prohibited from doing, commits an offence.
- (2) An offence against any provision of this local law is a prescribed offence for the purposes of section 9.16(1) of the Act.

- (3) A person who is convicted of an offence under this local law is liable—
  - (a) to a maximum penalty not exceeding \$1,000; and
  - (b) if the offence is of a continuing nature, to an additional maximum penalty not exceeding \$100 for each day or part of a day during which the offence continues after the day on which the person is first convicted.
- (4) The amount appearing in the final column of Schedule 2 – Prescribed offences directly opposite a clause specified in that Schedule is the modified penalty for an offence against that clause, for the purposes of section 9.16 of the Act.

## **8.2 Forms**

For the purposes of this local law, where a vehicle is involved in the commission of an offence—

- (a) the form of the notice to the owner of a vehicle referred to in section 9.13 of the Act is Form 1 in Schedule 1 to the Local Government (Functions and General) Regulations 1996;
- (b) the form of the infringement notice referred to in section 9.16 of the Act is Form 2 in Schedule 1 to those Regulations; and
- (c) the form of the notice of withdrawal of infringement notice referred to in section 9.20 of the Act is Form 3 in Schedule 1 to those Regulations.

## SCHEDULE 1 - PARKING REGION

The parking region is the whole of the district, **except** 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) the prohibition areas applicable to all existing and future bridges, culverts, causeways, overpasses and underpasses, as determined by the Commissioner of Main Roads;
- (c) any thoroughfare or part of a thoroughfare that comes under the control of the Commissioner of Main Roads, **unless**—
  - (i) the control of parking and parking facilities on that thoroughfare has been delegated by the Commissioner of Main Roads to the local government; or
  - (ii) the thoroughfare is identified elsewhere in this local law as a parking station or parking facility to which clause 1.6(4) applies;
- (d) any land, reserve or facility that—
  - (i) does not belong to the local government;
  - (ii) is not vested in the local government or of which the local government is not the management body under the Land Administration Act 1997;
  - (iii) is an “otherwise unvested facility” within section 3.53 of the Local Government Act 1995; or
  - (iv) is a parking facility or parking station not occupied or managed by the local government unless an agreement under clause 1.6(2) is in place;
- (e) any other area where the stopping or parking of vehicles is controlled by a statutory authority or instrument other than the local government.

**SCHEDULE 2 - PRESCRIBED OFFENCES**

<b>Item</b>	<b>Clause</b>	<b>Nature of offence</b>	<b>Modified penalty (\$)</b>
1	2.1	Parking not wholly within a parking stall	75
2	2.2	Parking contrary to restrictions in a parking station	75
3	3.1	Parking or stopping contrary to a sign	75
4	3.2	Parking in area set apart for different class of vehicle	75
5	3.2	Parking in area set apart for persons of a different class	75
6	3.2	Parking during prohibited period	75
7	3.2	Parking in a no-parking area	75
8	3.2	Parking in an M/C bay when not a motorcycle/bicycle	75
9	3.2A	Improper use of a disability parking permit	100
10	3.2B	Misuse of a disability parking permit	150
11	3.2	Parking in “Authorised Vehicles Only” area without permission	90
12	3.3	Parking on carriageway contrary to requirements (left boundary, direction of travel, clearance distances)	75
13	3.3	Parking where vehicle obstructs a carriageway	100
14	3.4	Failure to comply with angle parking requirement	75
15	3.5	Parking where not permitted by angle/parallel rules	75

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<b>Item</b>	<b>Clause</b>	<b>Nature of offence</b>	<b>Modified penalty (\$)</b>
16	3.6	General prohibitions on parking (e.g., footpath, median, excavation, intersection)	100
17	3.6	Parking within 1 metre of fire hydrant	100
18	3.6	Parking within 3 metres of letterbox	75
19	3.6	Parking within 10 metres of intersection or traffic island	90
20	3.6	Parking near school/children's crossing (approach/departure)	100
21	3.7	Parking on verge without authority	75
22	3.7	Parking unattached trailer/caravan on verge	75
23	3.8	Parking heavy or long vehicle more than permitted time	100
24	3.9	Failure to move vehicle when directed by an authorised person	100
25	3.10	Parking vehicle exposed for sale, unlicensed, or for repairs	75
26	3.11	Parking on private land without consent	100
27	3.12	Parking on reserve without approval	75
28	4.1	Stopping in a no-stopping area	100
29	4.1	Stopping in a no-parking area (beyond 2-minute pickup/drop-off provision)	75
30	4.1	Stopping on a yellow edge line	100
31	4.2	Stopping in Loading Zone unlawfully	75
32	4.2	Stopping in Taxi Zone unlawfully	75
33	4.2	Stopping in Bus Zone unlawfully	75

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<b>Item</b>	<b>Clause</b>	<b>Nature of offence</b>	<b>Modified penalty (\$)</b>
34	4.2	Stopping in Mail Zone unlawfully	75
35	4.3	Stopping in a shared zone contrary to requirements	75
36	4.4	Double parking	100
37	4.5	Stopping near an obstruction so as to impede traffic	75
38	4.6	Stopping on bridge, ramp, underpass or similar structure unlawfully	75
39	4.7	Stopping on crests, curves, or where visibility is limited	100
40	4.8	Stopping near fire hydrant, fire plug or station	100
41	4.9	Stopping near bus stop (approach/departure distances)	90
42	4.10	Stopping on path, median strip, or traffic island	75
43	4.11	Stopping on a verge contrary to requirements	75
44	4.12	Obstructing access to path, driveway or access point	100
45	4.13	Stopping within 3 metres of letterbox	75
46	4.14	Stopping heavy or long vehicle contrary to rules	100
47	4.15	Stopping in bicycle parking area	75
48	4.16	Stopping in motorcycle parking area	75
49	4.16	Leaving vehicle so as to obstruct a public place	100
50	5.1	Stopping unlawfully in Loading Zone (2026 zone section)	75

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<b>Item</b>	<b>Clause</b>	<b>Nature of offence</b>	<b>Modified penalty (\$)</b>
51	5.2	Stopping unlawfully in Taxi Zone or Bus Zone (2026 zone section)	75
52	5.3	Stopping unlawfully in Mail Zone	75
53	5.4	Stopping in other restricted vehicle zones contrary to sign	75
54	6.1–6.15	All “Other Places Where Stopping is Restricted” offences where not otherwise specified	75
55	7.1	Removal of notice on vehicle by unauthorised person	100
56	7.2	Unauthorised sign, defacing or interfering with sign	150
57	7.3	Failure to comply with sign	75
58	7.4	Interference with sign (additional to clause 7.2)	150
59	7.5	Special purpose/emergency vehicle misuse (if applicable)	100
60	8.1	Any other offence not specified	75

## SCHEDULE 3 – DEEMED PARKING STATIONS

For the purposes of clause 1.6(4), the following facilities are deemed to be parking stations to which this local law applies:

- 1. Toodyay Administration Centre**  
Including all public and staff parking areas adjacent to, surrounding, or associated with the Administration Centre building.
- 2. Toodyay Public Library**  
Including all public parking bays, staff parking bays, and any off-street or on-street parking areas designated for library use.
- 3. Toodyay Visitor Centre**  
Including the visitor car park and any associated public parking areas managed or controlled by the Shire.
- 4. Shire Depot (Toodyay Junction)**  
Including authorised-visitor parking areas within the Toodyay Junction precinct.
- 5. Shire Depot (Works Depot)**  
Including staff, fleet and authorised-visitor parking areas within the Shire Depot precinct.
- 6. Recreation Centre / Aquatic / Sport Precinct**  
Including any parking bays or parking areas provided for public or staff use within the recreation, aquatic, gym or sport precinct areas.
- 7. Community Hall / Pavilion / Events Precinct**  
Including all public parking areas associated with Shire-managed halls, pavilions, community centres or event venues.
- 8. Museum / Heritage Facilities**  
Including public parking areas associated with Shire-managed museum sites or heritage buildings open to the community.
- 9. Stirling Terrace or CBD Parking Facilities (Shire-managed only)**  
Any off-street or on-street parking facilities specifically managed by the Shire for the Town Centre precinct.
- 10. Any other Shire-owned or Shire-occupied land**  
Where parking bays, stalls or parking areas are provided for public, visitor or staff use, including buildings, reserves or facilities under the care, control or management of the Shire.

**Authorisation**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Shire of Toodyay resolved on .....to make the *Parking and Parking Facilities Local Law 2026*.

Dated this ..... day of ..... 2026

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

\_\_\_\_\_  
Cr Michael McKeown  
Shire President

\_\_\_\_\_  
Aaron Bowman JP  
Chief Executive Officer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date