
Parking Facilities By-Law No. 1 of 2026

A by-law made under sections 145 and 161 of the Local Government Act 1993, in respect of the parking of vehicles and other activities on land owned by or under the control of the Glamorgan Spring Bay Council and a designated parking area within the municipal area of the Glamorgan Spring Bay Council.

PART 1 - PRELIMINARY

1. Short Title

This by-law may be cited as the *Parking Facilities By-Law Number 1 of 2026*.

2. Interpretation

In this by-law, unless the contrary intention appears:

“authorised officer” means the Chief Executive Officer and a person appointed by the Chief Executive Officer for the purpose of this by-law.

“Chief Executive Officer” means the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).

“Compliance Manager” means the person holding the position of Compliance Manager with the Council, or a person acting in that position, or other person as authorised by the Chief Executive Officer.

“Council” means the Glamorgan Spring Bay Council.

“Disabled Parking Space” means a parking space to which:

- (a) a permissive parking sign displaying a people with disabilities symbol applies; or
- (b) a people with disabilities parking sign applies; or
- (c) a road marking consisting of, or including, a people with disabilities symbol applies.

“drive’ has the same meaning as in the Dictionary in the *Road Rules 2019*.

“General Manager” means the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993* (Tas).

“highway” has the same meaning as a local highway under the *Local Government (Highways) Act 1982* (Tas).

“motor vehicle” has the same meaning as in the *Vehicle and Traffic Act 1999* (Tas).

“park” means to leave a vehicle in a stationary position whether attended or not.

“parking area” includes any area owned by or under the control of the Council and designated by public notice for the parking of vehicles, but does not include a highway.

“parking space” means a space within a parking area or a space indicated by lines or other marks on the ground or indicated by any other method, of sufficient clear space to accommodate a vehicle within that space.

“penalty unit” means a sum prescribed under the provisions of the *Penalty Units and Other Penalties Act 1987* (Tas).

“registered operator” has the same meaning as under the *Vehicle and Traffic Act 1999* (Tas).

“ride” includes travel in or on, and drive.

“vehicle” means “wheeled recreational device”, “wheeled toy”, “scooter”, “motorised scooter” and “personal mobility device” as defined by the *Road Rules 2019*.

PART 2 – DRIVING OF VEHICLES

3. Entry and exit of parking areas

A person driving a motor vehicle must not enter or exit a parking area except by an access point designated by the Council's signs.

Penalty: a fine not exceeding 2 penalty units.

4. Driving of motor vehicles

A person must not drive a motor vehicle in a parking area at more than twenty kilometres an hour.

Penalty: a fine not exceeding 2 penalty units.

PART 3 – PARKING

5. Parking of motor vehicles

- (1) A person must not park a motor vehicle which is not wholly within one parking space or parked otherwise than directed by an authorised officer or signage.

Penalty: a fine not exceeding 2 penalty units.

- (2) A person must not park a motor vehicle in a disabled parking space unless that person holds a permit or authority issued by a competent authority authorising such parking in the same or similar circumstances.

Penalty: a fine not exceeding 2 penalty units.

6. Parking of motor vehicles

- (1) Subject to sub-clause 6(2), a person must not park a motor vehicle:

- (a) in a parking space regulated by any Council sign for a period longer than the maximum period notified on the sign relating to that parking space; or
- (b) partly inside and partly outside of a parking space.

Penalty: a fine not exceeding 2 penalty units.

- (2) Sub-clause 6(1) does not apply to:

- (a) bicycles and tricycles moved only by human strength;
- (b) trolleys with only two wheels if those wheels are less than 310 millimetres in diameter;
- (c) motor vehicles used as ambulances being used on urgent ambulance services; or
- (d) motor vehicles used by a fire brigade in connection with a fire with which the brigade is dealing.

7. Reserved spaces

- (1) The Compliance Manager is to decide on the location of, and the conditions applicable to, reserved parking areas and spaces.
- (2) A person must not park or leave a motor vehicle in a parking space or parking area which is designated "Reserved" unless authorised to do so.

Penalty: a fine not exceeding 2 penalty units.

- (3) An authorised officer may remove, or permit an agent of the Council to remove, a motor vehicle if it is parked in contravention of this clause.

PART 4 – PROHIBITED ACTIVITIES

8. Unauthorised removal of infringement notice

A person other than the registered operator or person in charge of the motor vehicle, must not remove or cause to be removed an infringement notice affixed to a motor vehicle.

Penalty: a fine not exceeding 2 penalty units.

9. Washing, dismantling and repair of motor vehicles

- (1) A person must not dismantle or repair any motor vehicle in a parking area without the permission of an authorised officer unless it is necessary to enable the motor vehicle to be moved from the parking area.

Penalty: a fine not exceeding 2 penalty units.

- (2) A person must not paint or wash any motor vehicle in a parking area without the consent of an authorised officer.

Penalty: a fine not exceeding 2 penalty units.

10. Skidding of motor vehicles

A person must not intentionally drive a motor vehicle so:

- (a) it skids; or
- (b) it leaves rubber marks from its tyres on the surface of a parking area.

Penalty: a fine not exceeding 2 penalty units.

11. Damage to the Council's property

A person must not remove or damage the Council's property in any parking area.

Penalty: a fine not exceeding 2 penalty units.

12. Obstruction

A person must not cause any obstruction to motor vehicle or foot traffic in a parking area.

Penalty: a fine not exceeding 5 penalty units.

13. Use of skates and cycles

- (1) Except as otherwise provided in subclause (2) or (3) a person must not ride a vehicle or bicycle in a parking area.

Penalty: a fine not exceeding 2 penalty units.

- (2) A person may ride a vehicle or bicycle in a parking area for the purpose of parking in, transiting directly through, or taking the nearest path to a designated exit of, a parking area.
- (3) A person may ride a vehicle in a parking area outside the ordinary operating hours of that parking area, except where such riding is prohibited by a notice at such parking area.

PART 5 – MISCELLANEOUS

14. Request to leave an area

- (1) A police officer or authorised officer may ask a person whom they reasonably believe is offending against this by-law to leave a parking area.
- (2) A person who does not obey the directions of an authorised officer is guilty of an offence.

Penalty: a fine not exceeding 2 penalty units.

15. Closure of parking area

The Compliance Manager may close any parking area or portion of a parking area.

16. Use of parking area for other purposes

The Compliance Manager may give written approval for a parking area to be used for any purpose and impose conditions for its use.

17. Recovery of expenses

In addition to a penalty imposed in relation to a failure to comply with or a contravention of a provision of this by-law, an expense incurred by the Council in consequence of that

failure or contravention is recoverable by the Council as a debt payable by the person so failing to comply or in contravention.

18. Assistance of police officer

A Police Officer is authorised to assist an Authorised Officer to carry out an action under this by-law.

PART 6 – INFRINGEMENT NOTICES

19. Infringement notices

(1) In this clause:

“specified offence” means an offence against the clause specified in column 1 of Schedule 1 and generally described in column 2 of Schedule 1.

(2) An authorised officer may issue an infringement notice in respect of a specified offence and the monetary penalty set out adjacent to the offence in Column 3 of Schedule 1 is the penalty payable under the infringement notice for that offence.

(3) An authorised officer may:

- (a) issue an infringement notice to a person who the authorised officer has reason to believe is guilty of a specified offence; and
- (b) issue one infringement notice in respect of more than one specified offence.

(4) The *Monetary Penalties Enforcement Act 2005* applies to an infringement notice issued under this by-law.

(5) In addition to any other method of service, an infringement notice alleging that a vehicle has been used in relation to a specified offence may be served by affixing it to that vehicle.

(6) A person who is served with an infringement notice must, within 28 days of the date of service, do one or more of the following:

- (a) pay the monetary penalty in full to the Chief Executive Officer;
- (b) apply to the Chief Executive Officer for withdrawal of the infringement notice;
- (c) apply to the Chief Executive Officer for a variation of payment conditions; or
- (d) lodge with the Chief Executive Officer a notice of election to have the offence or offences set out in the infringement notice heard and determined by a court.

(7) If a person who has been served with an infringement notice fails to take one or more of the actions required by sub-clause (6) within the prescribed time, the infringement notice may be referred to the Director, Monetary Penalties Enforcement Service.

Schedule 1 – Infringement Notice Offences

Column 1	Column 2	Column 3
Clause	General Description of Offence	Penalty (penalty units)
3	Failure to use designated access point to parking area	0.5
4	Exceeding speed limit in parking area	0.5
5(1)	Not parking as directed	0.5
5(2)	Parking in disabled parking space	1.0
6(1)(a)	Parking for longer than maximum period regulated by Council sign	0.25
6(1)(b)	Park outside parking space	0.5
7(2)	Parking in a reserved space without authorisation	0.5
8	Unauthorised removal of infringement notice	0.5
9(1)	Dismantling and repairing motor vehicle without consent	0.5
9(2)	Washing or painting motor vehicle without consent	0.5
10	Skidding of motor vehicles	0.5
11	Damage to Council property	0.5
12	Obstructing vehicle or foot traffic	0.5
13(1)	Using vehicles and bicycles in a parking area	0.25
14(2)	Fail to obey request	0.5

Seal and Certification

Pursuant to section 161 of the *Local Government Act 1993 (Tas)* and the decision of Council on the day of 2026, the Common Seal of the Glamorgan Spring Bay Council was placed upon this document on the day of 2026 in the presence of:

XXXX
Mayor

I certify that the provisions of the *Parking Facilities By-Law Number 1 of 2026* are in accordance with the law.

XXXX
Legal Practitioner

The *Parking Facilities By-Law Number 1 of 2026* has been made in accordance with the *Local Government Act 1993 (Tas)*

XXXX
Chief Executive Officer
being the General Manager as appointed by Council pursuant to section 61 of the *Local Government Act 1993 (Tas)*