

# PARKING, THE ROAD RULES & YOU

***Parking and traffic laws exist to ensure the safe and fair use of Victoria's roads for the benefit of everyone.***

## Your Responsibility

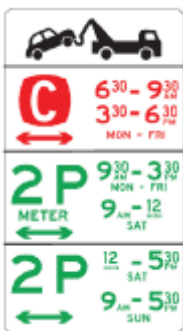
As a licensed driver, you are expected to be aware of the *Road Safety Rules 2009* and adhere to them at all times. Failure to obey these rules can lead to receipt of a parking infringement. If an infringement is not paid, statutory costs and legal action may result.

## The City of Wyndham's Responsibility is to Ensure:

- Parking spaces are shared and rotated fairly by the community.
- Motor and pedestrian traffic is not obstructed or inconvenienced.
- Any danger caused by unsafe parking is minimised.

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## Signage



Parking signs can apply to a length of road, an area or a car park. It is important that you look for signs when entering any street or car park. They may not be right next to your car. If a sign is located at a distance from your vehicle, you should leave your vehicle and move to a point from which you can clearly read every panel of the sign to ensure that the position in which you have chosen to park is legal.

Reading every panel of a multi-panel sign is vital. Each panel could contain information relating to the location in which you want to park your car. The panels with the arrows pointing towards your car will advise which restrictions apply to you. You should also remember that some areas can have several different types of restrictions in a single day i.e.: timed parking, permit zone, loading zone etc.

Information relating to the days and times of when restrictions apply can vary from location to location. Each sign will tell you when it applies. If no days and times are shown, the restriction applies twenty-four (24) hours of every day of the year.

Parking signs should be checked every time you park your car, even if you are familiar with the area. Restrictions and/or the days and times when restrictions apply are occasionally amended to meet the changing needs of the community.

The following appeals would not be considered valid reasons for withdrawal of parking infringements:

- Poor visibility due to weather.
- Not noticing a sign.
- Reading only part of a multi-panel sign.
- Being unable to read the sign from the front seat of the car.
- Forgetting to read the sign because you were concentrating on other things.
- Not noticing that a sign/restriction had been changed.
- Being new to the area and unfamiliar with the restrictions. This applies regardless of whether the driver is from Victoria, interstate or overseas.
- Council did not advise me of any signage changes
- Everyone else was parked there

### 'No Stopping' versus 'No Parking'



No Stopping means no stopping at all - even if you are only letting someone out of the car, and regardless of whether you leave the engine running and stay in the car. Stopping on a length of road to which a 'No Stopping' sign applies is an offence, unless you are outside the times specified on the sign. You must not stop where there is a continuous yellow line painted on the edge of the road.

No Parking means that a driver must not stop on a length of road or in an area to which a no parking sign applies, unless the driver is dropping off or picking up, passengers or goods. The driver cannot leave the vehicle unattended and must complete the stop within 2 minutes or in accordance with what the sign indicates.

The following appeals would not be considered valid reasons for withdrawal of parking infringements:

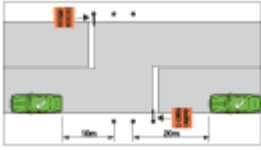
#### No Stopping

- I only stopped to let my passenger out. I only stopped for 2 minutes.

#### No Parking

- I only left my vehicle to get my passengers or retrieve the goods.

## Children's crossing



Stopping or parking your vehicle too close to a children's' crossing may mean that a child entering the crossing can't see or be seen by an approaching car. When a children's' crossing is in operation (i.e. when the flags are displayed), you must not stop or park within 20 metres of the crossing on the approach side and 10 metres of the crossing on the departure side. This means that even stopping momentarily to let a child out or pick a child up is an offence. These restrictions do not apply when the crossing is not operating and the flags are not displayed.

However, if there is also a 'No Stopping' or 'No Parking' signs at the approach to the crossing you must obey it at all times.

In the interest of safety for the children and to avoid congestion, Infringement Notices for offences relating to Children's crossings require officers to record the vehicle registration numbers and send infringements via mail.

The following appeals would not be considered valid reasons for withdrawal of parking infringements:

- I wanted to drop my children as close to the gate as possible.

## Loading zones



You can only stop in a Loading Zone if you are driving:

- A truck or a G-classified vehicle that is constructed mainly for carrying goods or loads (not a sedan, station wagon or motorbike).
- A public passenger vehicle or taxi.
- A courier or delivery vehicle permanently marked in accordance with specific Regulations (ask Council or VicRoads), and you are actually loading or delivering goods or picking up or setting down people. You cannot park your truck in a Loading Zone just because it's a truck. If there is no time limit on the sign, you can stop for a maximum of 30 minutes.

The following appeals would not be considered valid reasons for withdrawal of parking infringements:

- Privately registered vehicle stopped for a couple of minutes to drop off or pick-up passengers or goods.

## Permit parking



In areas where there is limited parking, Council may set aside parking areas for residents or other designated groups. Parking without a permit may be restricted or prohibited.

The following appeals would not be considered valid reasons for withdrawal of parking infringements:

- Parked in a permit zone by mistake.
- Failing to display permit.

## Other zones



You must not stop in a taxi or bus zone unless you are authorised to do so.

The following appeals would not be considered valid reasons for withdrawal of parking infringements:

- Privately registered vehicle only stopped for a couple of minutes to drop off or pick up passengers or goods

## Parking for too long



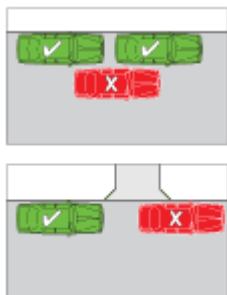
Time limits are set on parking spaces to allow as many people as possible to have access to an area. Where a parking control sign applies to a length of road or an area, you must not park there continuously for longer than the period allowed. If you park your vehicle longer than allowed, you can be issued with a penalty. If you want to stay longer, you must move your vehicle out of the area between the two signs and into another parking area. Putting more money in the meter does not cancel out your obligation to move after the time limit is up, nor will moving to another bay within the same parking area save you from an infringement penalty.

In some instances there may be metered or ticket machine parking payable Monday to Saturday but no metered parking on a Sunday. A common mistake that can be made is people assuming that because parking is possibly non-metered in some areas on a Sunday, this means that they do not have to abide by the parking time limit. This is not correct and will result in an infringement being issued.

The following appeals would not be considered valid reasons for withdrawal of parking infringements:

- I moved from one bay into another, next to or in the same signed area.
- Meter stated free parking on Sunday assumed I could park in the spot all day.

## Parking correctly



It is an offence to double park. When parking in a two-way street you must park on the left hand side of the road. Your vehicle must face the direction of travel, i.e. passenger side must be parked to the kerb and NOT the steering wheel side. You must park within the marked lines of the parking bay.

A driver cannot stop on a bicycle path, footpath, shared path, dividing strip, or a nature strip adjacent to a length of road in a built-up area, unless there is permissive signage. Please note that Council's Local Laws also prohibit the sale of vehicles on roads or Council controlled land.

**Nature Strips** – Parking on nature strips is not permitted as this can lead to a range of issues such as tree roots becoming compacted or grass becoming worn down resulting in the nature strip becoming unsightly. Additionally, at times, utility companies may require urgent access to underground services.

**Footpath** – Drivers must not stop on a road in a position that obstructs access by vehicles or pedestrians to, or from, a footpath ramp or a similar way of access to a footpath.

There is potential for pedestrians and others, particularly those in wheelchairs, motorised wheelchairs and prams to be obstructed.

**Driveway** - Drivers must not park across a driveway unless dropping off, or picking up passengers and must drive on as soon as possible within 2 minutes after stopping.

The following appeals would not be considered valid reasons for withdrawal of parking infringements:

- No one objected to me parking there.
- It is my driveway and I am not obstructing anyone.
- There was still room for a person to get through.
- I always park on the nature strip for safety because the road is busy.
- I have always parked on the nature strip.
- I parked my car on the nature strip so that people could see that it was for sale.

## Disabled parking



There are two types of parking permits for people with disabilities. One is blue-on-white and the other is green-on-white and both are issued by local Councils in accordance with State guidelines. If you need a disabled parking permit, contact your Council to obtain an application form. A disabled parking space can only be used by someone with a blue-on-white disabled parking permit, or by a driver who is parking the car so that the disabled permit holder can get in or out of the car. Permits are only valid when the disabled person is travelling in the vehicle.

A person with a disability who holds only a green-on-white permit, or who does not hold any permit, must not park in the signed blue disabled parking bays. Holders of either permit can park for twice the time normally allowed in ordinary parking spaces. A disabled parking permit must be displayed at the left side or centre of the front windscreen, so that the permit number and expiry date can be seen from outside. The driver must give his/her name and address and produce his/her driver's licence and the permit when asked to do so by police or an authorised officer.

**Note:** in order to be eligible to park twice the normal time you must initially pay for the full metered parking time displayed.

The following appeals would not be considered valid reasons for withdrawal of parking infringements:

- I hold a green-on-white permit, but there were only blue on white parks available.

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## Your right to appeal

You have the right to request a review of an infringement before the due date on the infringement notice. Under the *Infringements Act 2006 (Vic)* there can only be one review of an infringement.

You may request a review if you believe:


1. The decision to issue an Infringement Notice:
  - a. Was contrary to law; or
  - b. Involved a mistake of identity, for example the person to whom the infringement was issued was not the actual person who committed the offence.
2. That "special circumstances" apply to you. Under the *Infringements Act 2006 (Vic)* "special circumstances" apply to a person if they are unable to understand that their conduct constitutes an offence, or are they unable to control their conduct that constitutes an offence due to any of the following:
  - a. A mental or intellectual disability, disorder, disease or illness; or
  - b. A serious addiction to drugs, alcohol or a volatile substance; or
  - c. Homelessness.
3. The conduct for which the Infringement Notice was served should be excused with regards to any exceptional circumstances relating to the Infringement Offence. This may include:
  - Car broken down.
  - Medical emergencies. There will be situations where a person may need emergency treatment. This does not include general appointments at the hospital, doctors, dentist etc.
  - Failure to display permits correctly.

**Note:** All of the above are subject to proof and the discretion of the Internal Review Officer.

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## Requesting a review

There are some important things you should know about making a request for a review:

1. A request for review can be made by you or by somebody acting on your behalf with your consent.
  2. A request for review must be made in writing.
  3. A request for review must state the grounds on which you consider the decision should be reviewed.
  4. The request for review must provide your current address and Infringement Number/s as found on your Infringement Notice/s.
  5. To avoid any potential additional costs and enforcement action being taken against you, a request for review should be made prior to the due date listed on the Infringement Notice.
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Some common situations where people issued with an Infringement Notice ask for a review of the Infringement Notice because of "exceptional circumstances" and the likely outcome of such a review are detailed hereunder. Whilst each case will be reviewed on its own merits based on the information provided, you should consider the information detailed above prior to requesting a review of your Infringement Notice.

