

PART 2 STREETS AND ROADS

11. INTRODUCTION

Division 1 contains provisions which aim to regulate the parking of vehicles on Roads, allow for the closure of Roads and regulate the use of Roads by Heavy Motor Vehicles.

Division 2 contains provisions in relation to works on any Road

Division 1 - Traffic

12. EXEMPTIONS FROM THIS PART

The following Vehicles are exempt from the requirements under this Division:

- a) coaches and Public Transport Corporation buses when parked in clearly designated bus parking areas; and
- b) taxis and stretch limousines providing taxi services when parked in a clearly designated taxi rank; and
- c) Vehicles owned or operated by Council, the Public Transport Corporation and the Roads Corporation; and
- d) Police, Ambulance, Fire Brigade and State Emergency Service Vehicles.

13. POWER TO EXEMPT PERSONS

Council or the Victoria Police may exempt any Person from the operation of this Division or any of the requirements contained in it.

14. OFFENCE TO PARK VEHICLE ON RESERVE

A Person must not park or leave stopped or standing a Vehicle in any Reserve.

Penalty: 4 Penalty Units

15. ABANDONED VEHICLES – VEHICLES LEFT FOR AN EXTENDED PERIOD

A Person must not park or leave stopped or standing a Registered Vehicle in any Public Place, including on a Road, for more than 2 consecutive months.

Penalty: 4 Penalty Units

16. UNREGISTERED VEHICLES

A Person must not park or leave stopped or standing an Unregistered Vehicle in a Public Place.

Penalty: 4 Penalty Units

NOTE: Clause [16](#) does not extend to Unregistered Vehicles on Roads because this is regulated by section 7(1) of the *Road Safety Act* 1986.

17. POWER TO REMOVE OR IMPOUND

Council may move or impound any Vehicle which has been parked or left stopped or standing contrary to clause [14](#), [15](#) or [16](#).

NOTE: The procedure in relation to impoundment is set out in clause [109](#).

18. PAINTING AND REPAIRING ON ROADS

1. A Person must not:
 - a) dismantle or paint a Vehicle; or
 - b) repair a Vehicle on a Road.

Penalty: 4 Penalty Units

2. Nothing in subclause [18.1.a](#)) applies to a Person who is repairing a Vehicle:
 - a) with the intention; and
 - b) for the purpose of rendering that Vehicle immediately mobile.

19. CLOSED ROADS AND STREETS

A Person must not drive a Vehicle on a Road or part of a Road which has been closed in accordance with the Act.

Penalty: 4 Penalty Units

20. BARRIERS AND OBSTRUCTIONS ON ROADS

1. A Person must not place an obstruction or barrier on a Road.

Penalty: 6 Penalty Units

2. A Person must not remove, destroy, damage, interfere or tamper with or deface any barrier or obstruction placed on a Road in accordance with the Act.

Penalty: 4 Penalty Units

3. Nothing in this clause [20](#) precludes the Chief Executive Officer from placing or maintaining (or causing to be placed or maintained) obstructions or barriers on a Road, to prevent any injury to Persons or damage to Property, if he or she:
 - a) is satisfied that the circumstances require urgent action; and
 - b) removes the obstructions or barriers (or causes the obstructions or barriers to be removed) immediately upon the cessation of the risk of injury to Persons or damage to property.

21. HEAVY MOTOR VEHICLES

1. A Person must not:
 - a) drive; or
 - b) cause to be driven a Heavy Motor Vehicle on or onto any:
 - i) Road; or
 - ii) by-pass

which has been the subject of a prohibition or restriction on entry imposed by Council and specified on Council's website unless, in the event of a restriction on use by Heavy Motor Vehicles, the Heavy Motor Vehicle is:

- y) driven; or
- z) caused to be driven

on the Road or by-pass at a time or in a manner when that restriction does not apply.

Penalty: 4 penalty Units

2. Nothing in this clause [21](#) applies if Council exercises or purports to exercise any power conferred by clause 10 of Schedule 11 to the Act.

22. PARKING OF VEHICLES

Council from time to time may, by resolution, fix the days, hours and conditions under which a Vehicle may be left on a Road or Council Land and may erect appropriate signs advising of the restrictions.

Division 2 – Roads Generally

23. RESIDENT PARKING SCHEME

Council may from time to time introduce a resident parking scheme which:

1. prohibits parking in a specified area or areas by Persons other than permit holders; and
2. exempts residents or specified Persons or classes of Persons from any parking restriction otherwise applicable to the area regulated by the resident parking scheme.

24. PERMIT REQUIRED FOR WORKS ON A ROAD AND ROAD RELATED AREAS

A Person must not, without first obtaining a Permit nor otherwise than in accordance with the conditions of such Permit, carry out or cause to be carried out any works on a Road or Road Related Area.

Penalty: 10 penalty units

NOTE: In cases where Council is not the coordinating road authority under the *Road Management Act 2004*, the written consent of the coordinating road authority may still need to be obtained under section 63(1) of that Act.

25. VEHICLE CROSSINGS

1. A Person must not, without first obtaining a Permit nor otherwise than in accordance with the conditions of such Permit, construct a temporary or permanent Vehicle Crossing.

Penalty: 10 penalty units

2. Council or an Authorised Officer may by notice in writing require:
 - a) the construction of a temporary or permanent Vehicle Crossing; or
 - b) the repair or reconstruction of a Vehicle Crossingby the Owner or Occupier of any Property.

3. A Person must not access a Property in a Vehicle other than via a temporary or permanent Vehicle Crossing.

Penalty: 4 penalty units

4. Council or an Authorised Officer may by notice in writing given to an Owner or Occupier of Property require the removal of any Vehicle Crossing and the reinstatement of any kerb, drain, Footpath, nature strip or other part of a Road, if, in the opinion of Council or an Authorised Officer, the Vehicle Crossing:
 - a) is redundant; or
 - b) has been constructed in breach of any provision of this clause or a Permit; or
 - c) has not been properly maintained; or
 - d) is in a state of disrepair.
5. An Owner or Occupier of Property to whom a notice in writing is given under subclause [25.2](#) or [25.4](#) must comply with that notice.

Penalty: 10 penalty units

6. An Owner or Occupier of Property must ensure that any work in respect of a Vehicle Crossing is performed to the satisfaction of Council or an Authorised Officer.

Penalty: 10 penalty units