

# University of Canberra (Parking and Traffic) Statute 2015

## Disallowable instrument DI2015–262

made under the

University of Canberra Act 1989, s 40 (Statutes) and s 41 (Statutes about Traffic)

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### 1 Name of instrument

This instrument is the *University of Canberra (Parking and Traffic) Statute 2015*.

### 2 Commencement

This instrument commences on the day after its notification day.

### 3 Revocation

This instrument revokes the *Traffic Statute 1995* Statute No. 33.

### 4 Recitals

This Statute should be read in conjunction with Australian Capital Territory road transport legislation (which applies within the University) which incorporates and gives effect to the Australian Road Rules. In accordance with the Act, this Statute enacts supplementary legislation for the regulation for:

- (1) the safe and orderly management of roads and road related areas on University land; and
- (2) control of traffic, or of the parking, stopping, standing or leaving of vehicles, on land occupied by the University; and
- (3) the preservation of the value of University land; and
- (4) the equitable management of the limited parking resources available on University land.

The paid parking fees specified in this Statute are exclusive of any government fees and charges.

Parking Inspector(s) apply and enforce the road transport legislation on University land.

A motor vehicle may only be parked on University land in accordance with this Statute and any Rules made under this Statute.

## 5 Definitions

In this Statute, unless the contrary intention appears:

*Act* means the University of Canberra Act 1989 (ACT);

*Council* means the Council of the University established by section 9 of the Act;

*road* has the same meaning as defined in the *Road Transport (General) Act 1999* of the Australian Capital Territory;

*road related area* has the same meaning as defined in the *Road Transport (General) Act 1999* of the Australian Capital Territory;

*road transport legislation* has the same meaning as defined in section 6 of the *Road Transport (General) Act 1999* of the Australian Capital Territory;

*paid parking areas* means those areas within the University grounds designated by Council as carparks where motorists will be required to pay for the time they occupy the University carpark;

*parking inspector* means a person appointed pursuant to Clause 8 of this Statute;

*Statute* means the University of Canberra (Parking and Traffic) Statute 2015;

*University land* means land occupied by the University in the Australian Capital Territory;

*Note 1* A reference to a statute or rule includes a reference to that statute or rule as repealed and remade since the reference was made, see the Legislation Act, s 102.

*Note 2* Terms used in these Rules have the same meaning that they have in the Act, see the Legislation Act, s 148. For example, the following terms are defined in the Act:

- board
- chancellor
- council
- university
- vice-chancellor

## 6 Driving

The road transport legislation applies within the University, subject to the following:

- (1) Parking or driving across footpaths and grassed or landscaped areas is prohibited.
- (2) In instances where the nature of works makes it essential to locate a vehicle on landscaped areas:
  - (a) permission must be sought and obtained from the Manager of Security; and
  - (b) barriers must be placed around the work area.

## 7 Appointment of Traffic Officer

The Council may, by resolution, appoint an officer of the University to be the Traffic Officer for the University.

## **8 Appointment of Parking Inspector**

The Traffic Officer may, in writing, appoint a person or persons authorised under section 19 of the *Road Transport (General) Act 1999* as a Parking Inspector or Parking Inspectors for the University.

## **9 Removal of vehicle**

If requested to do so by the Traffic Officer, a person who has been driving a vehicle on University land or whose vehicle has been stopped or parked on University land must remove the vehicle from University land.

## **10 Paid Parking and Parking Areas**

- (1) Paid parking areas apply to designated University car parks and parking bays within the University grounds as displayed on signs within such parking areas.
- (2) Time limited parking also applies at the university. Parking time limits are displayed on signs within relevant parking areas.

## **11 Permit ownership and use**

- (1) Students, staff and persons connected with the University as affiliates (for example tenants and contractors) may make an application to the Traffic Officer for a parking permit.
- (2) A permit signifies an individual has been granted the privilege of parking on University property.
- (3) Ownership of the permit remains with the University.
- (4) Failure to comply with these Rules is a breach of the permit and entitles the University to cancel the permit.
- (5) The purchase of a permit is not a guarantee that a space will be available.

## **12 Permit types and Parking arrangements**

- (1) Permits are only available to students, staff and persons connected with the University as affiliates (for example tenants and contractors).
- (2) Casual parking is available to visitors, staff and students.
- (3) Permit holders may park in any appropriately marked bay and may only park in other bays subject to the conditions which apply to that bay.
- (4) Casual and non-permit holders may park in any appropriately marked bay and may only park in other bays subject to the conditions which apply to that bay.

## **13 Reserve parking**

- (1) Reserved Zone Permits are available to:
  - (a) Staff members who elect to pay a fee (numbers are limited); and
  - (b) faculty vehicles (UC Maintenance vehicles).

- (2) Reserved Zone permit holders will be reviewed annually.
- (3) Application for reserved zone parking permits must be made to the Traffic Officer and is subject to the above criteria and availability.

#### **14 Disability Parking**

- (1) Free disability parking is available to individuals with an Australian Disability Parking Permit.
- (2) All applicants for free disability parking must provide evidence verifying their Australian Disability Parking Permit.

#### **15 Motorcycle parking**

- (1) Free motor cycle parking is available in designated areas.
- (2) Parking motor cycles is restricted to designated areas only.

#### **16 Parking fees**

All fees paid under these rules are non-refundable.

#### **17 University liability**

- (1) No liability is created by the granting of parking or vehicle operating privileges on property owned, leased, or otherwise controlled by the University.
- (2) The University assumes no responsibility for the care or protection of vehicles or contents while operated or parked on University property.
- (3) The responsibility for finding an authorised parking space rests with the driver. Lack of parking space, mechanical problems, inclement weather conditions or other causes are not considered valid excuses for violation of this Statute or the Rules.
- (4) Failure of the University to strictly enforce any parking provision in this Statute or the Rules shall not be construed as a waiver for the future enforcement.

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The foregoing statute is made by Council under section 40 and section 41 of the *University of Canberra Act 1989*.

In making this statute the University had regard to the provisions of section 40B (1) (b) of the *Human Rights Act 2004*.

Given under the seal of the University of Canberra on 13 August 2015.

Maria Storti  
Secretary of Council

Stephen Parker  
Vice-Chancellor

Under section 42 (2) of the *University of Canberra Act 1989* the foregoing Statute is approved by the Executive.

Joy Burch  
Minister for Education and Training  
8 September 2015

Andrew Barr  
Chief Minister  
25 August 2015