

# Traffic & Parking Rule

## Document data:

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| Document Type:                       | University Rule                                  |
| Administering Entity:                | Facilities Management Services Safety & Security |
| TRIM Ref:                            | D03/2356   |
| Date Board endorsement:              |  |
| Date Approved:                       | 7 October 2005                                   |
| Approved by:                         | UNE Council                                      |
| Indicative time for Review:          | October 2006                                     |
| Responsibility for Review:           |  |
| Related Policies or other documents: |  |

## TRAFFIC AND PARKING RULES

### Preliminary and Definitions

1. These rules may be cited as the “University of New England Traffic and Parking Rules”, and are made in exercise of the powers of the Vice-Chancellor conferred by the Council of The University of New England on 23 February, 2001 and also in exercise of all rights of The University of New England as owner or controller or manager of its land.
2. (a) In these Rules and for the purpose of these Rules:
  - “**Campus**” means the whole of land defined as the Armidale campus (being that part of Armidale comprising the roads indicated on maps marked “University of New England—Parking Scheme Area of Operations”;
  - “**Director**” means the Director of Facilities Management Services for the time being of the University;
  - “**Drive**” includes ride;
  - “**External Residential Student**” means a person enrolled in any external course of study whether it be a postgraduate or undergraduate course or subject of the University whether as a candidate proceeding to a postgraduate or undergraduate degree or diploma;
  - “**Infringement Notice**” means a piece of paper on which particulars of an offence alleged to have been committed against these Rules are recorded;
  - “**Member of Staff**” means a member of staff of the University, whether academic or general, whether tenured, fixed term, probationary or otherwise and who is an employee in either a full-time or a part-time capacity but, in the case of a part-time employee who is also a student, who is employed for a period in excess of seven hours per week, or a contractor engaged under contract approved by Campus Services Manager;

**“Notice”** means a written notification signed by a Prescribed Officer or any other authorised person;

**“Owner”** in relation to a vehicle means the responsible person for that vehicle as defined in section 7 of the Road Transport (General) Act 1999 as amended or the person registered as the owner of that vehicle under the Road Transport Legislation;

**“Parking Bay”** in relation to a restricted parking area, means that portion of a restricted parking area in which a vehicle may stand or be parked, delineated by markings on the pavement or bump stops;

**“Parking Permit”** means a parking permit issued under these Rules including a parking ticket issued by the University by means of a Parking Ticket Machine or a parking coupon (being a voucher, card or similar article) issued by the University (otherwise than by means of a Parking Ticket Machine) for display on or in a vehicle as evidence of the pre-payment of a parking fee, and scratch and display permits.

**“Parking Ticket Machine”** means a device designed to issue parking tickets, and includes the stand on which such a device is erected which has been approved by the Roads and Traffic Authority of New South Wales;

**“Prescribed Officer”** means a Security Officer or a Patrol Officer or such other member of staff so authorised by the Director for the purpose of these Rules;

**“Register of Vehicles Authorised to be Parked on Campus”** means the register to be kept pursuant to Rule 7 of the Rules;

**“Registered person responsible”** means the person registered in the Register of Vehicles Authorised to be Parked on Campus as responsible for a vehicle;

**“Residential Student”** means a person enrolled in any postgraduate or undergraduate course or subject of the University whether as a candidate proceeding to a postgraduate or undergraduate degree or a diploma residing on the University Campus throughout the academic year;

**“Restricted Parking Area”** means an area defined by traffic control signs displayed adjacent to the campus entrances and exits;

**“Road Transport Legislation”** means the following:

- (i) the Road Transport (General) Act 1999,
- (ii) the Road Transport (Driver Licensing) Act 1998,
- (iii) the Road Transport (Heavy Vehicle Registration Charges) Act 1995,
- (vi) the Road Transport (Safety and Traffic Management) Act 1999,
- (v) the Road Transport (Vehicle Registration) Act 1997,
- (vi) any other act or regulation (or any provision of such an Act or regulation) prescribed by the regulations;
- (vii) any regulation made under any Act referred in paragraphs (a) to (f) (or any provisions of such an Act).

**“Security Officer”** means a person employed by the University as a Safety and Security Officer and includes the Safety and Security Operations Officer or a contractor engaged under contract approved by the Campus Services Manager;

**“Campus Services Manager”** means the Campus Services Manager for the time being of the University.

**“Safety and Security Operations Officer”** means the Safety and Security Operations Officer for the time being of the University;

“**Sign**” means a notification in language or symbol erected, painted on or affixed to a building or structure or marked on the ground or otherwise displayed including by a means of a unbroken yellow or coloured hues on any part of the campus displayed by authority of the Vice-Chancellor, and “sign” includes markings which indicate a pedestrian crossing;

“**Student**” means a person enrolled in any postgraduate or undergraduate course or subject of the University whether as a candidate proceeding to a postgraduate or undergraduate degree or a diploma or not and whether attending an internal or external course of study, and includes an External Residential Student and a Residential Student;

“**The University**” means The University of New England;

“**University roads**” means any street, road, land, thoroughfare, footpath or place under control or management of the University;

“**Vehicle**” means any description of vehicle upon wheels;

“**Vice-Chancellor**” means Vice-Chancellor for the time being of the University;

“**Visitor**” means any person who brings a vehicle onto the campus who is not the holder of a valid permit.

(b) the headings of and within these Rules shall be deemed part of the Rules.

3. The Interpretation Act 1987 shall apply *mutatis mutandis* to and in respect of these Rules in the same manner as it applies to acts of Parliament.

#### **Bringing of Vehicles on to the Campus**

4. A member of staff, a student or any visitor to the campus who wishes to bring a vehicle on the campus shall not cause a vehicle to stand or wait or to be parked on the campus unless there has first been obtained in respect of the vehicle a parking permit and such permit is currently valid and is clearly displayed on the dashboard or affixed to the windscreen of the vehicle or, in the case of a motorcycle, in a prominent place on the motorcycle.

5. All parking permits must be clearly displayed showing:

- (a) in relation to parking permits purchased from a ticket machine, the day, month, date, entry time and permit number;
- (b) in relation to scratch and display permits, the day, month, date of use and permit number.

Failure to clearly display a parking permit showing all of the above information will render the parking permit invalid.

6. The Safety and Security Operations Officer shall cause to be available forms of application for the issue of parking permits in the form or forms and in the categories prescribed by him or her from time to time.

7. There shall be a Register of Vehicles Authorised to be Parked on Campus in which shall be recorded particulars of every vehicle in respect of which a parking permit (other than a parking ticket or coupon) is issued and of the name, contact details and qualifying status of the person to whom the said permit was issued. A person to whom a parking permit (other than a parking ticket or coupon) is issued shall notify the University within 14 days of the relevant event of any change in

name, address or qualifying status of that person or of the disposal of the vehicle in respect of which the parking permit is issued.

8. A parking permit shall cease to be valid:
  - (a) when the vehicle in respect of which it was issued is disposed of so that it ceases to be owned by or be available to the person to whom the permit was issued;
  - (b) when the person to whom the parking permit was issued ceases to possess a qualifying status by reason of which a permit or permits are issued;
  - (c) on the date on which the Campus Services Manager orders that the permit be cancelled;
  - (d) on the date on which the Campus Services Manager orders that all parking permits of all parking permits of the category in question to be cancelled;
  - (e) when the permit is no longer clearly legible; whichever shall be the earlier. When a parking permit ceases to be valid, the person to whom it was issued shall cause it to be removed from the vehicle in respect of which it was issued.
9. A person must not cause a vehicle to stand or wait or be parked on the campus otherwise than in accordance with the directions marked on a sign. Parking of vehicles on University roads within the campus is otherwise prohibited.
10. Where a vehicle is parked or left in a place in breach of these Rules or of any sign, it shall be lawful for an infringement notice to be affixed to the vehicle.

#### **Breach of Rules and Enforcement**

11. (a) Nothing in this Rule 12 shall affect the liability of the actual offender but where a penalty has been imposed on or recovered from any person in relation to any breach of these Rules or the Road Traffic Legislation no further penalty shall be imposed or recovered from any other person in relation thereto.
  - (b) Notwithstanding anything in the foregoing provisions of this Rule 12, no owner of a vehicle or person to whom the parking permit for a vehicle was issued shall by virtue of this Rule be guilty of a parking offence if he or she:
    - (i) within 21 days after service on them of the infringement notice (or on or before the due date specified in any courtesy letter served on them pursuant to Section 100J of the Justices Act 1902), supplies by statutory declaration to the Safety and Security Operations Officer in relation to the infringement notice to which the courtesy letter relates the name and address of the person who was in charge of the vehicle at all relevant times relating to the breach of these Rules or the Road Traffic Legislation concerned; or
    - (ii) satisfies such officer that they did not know and could not with reasonable diligence have ascertained such name and address.
12. (a) Any person who breaches these Rules is liable to the penalty prescribed in Rule 14.
  - (b) in addition to sub-rule (a):

- (i) vehicles blocking emergency or service roads, or parked in a way that may create a danger to other vehicles or pedestrian traffic, may be towed away by the University at the owner's expense.
13. The penalty for stopping or parking in a Restricted Parking Area shall be \$75.00. The said sum of \$75.00 shall increase on the 1st July in each year in accordance with any increases in the Consumer Price Index (All Groups).
14. (a) Any infringement notice issued pursuant to these Rules may:
- (i) be served personally or by post; or
  - (ii) if it relates to a breach of the Rules in relation to which the owner of a vehicle is guilty by virtue of these Rules, be addressed to the owner without naming him or her or stating his or her address and may be served by leaving it on or attaching it to the vehicle.
- (b) Any objection to the imposition of a penalty imposed pursuant to Rule 13 and 14 must include full details of the grounds on which the objection is based and be lodged in writing with the Infringement Processing Bureau of the Department of Police Services within 14 days of the date of the infringement notice showing the breach as having been committed.
- (c) The Infringement Processing Bureau of the Department of Police Services after considering an objection, shall either reject it or waive the penalty.
- (d) Where it appears to a Prescribed Officer that any person has committed a breach of these Rules by parking in an area not identified as a parking bay in a restricted parking area or parking contrary to directions marked on a parking bay or on a sign displayed upon or near a parking bay, such Prescribed Officer may serve an infringement notice on such person who must deal with the notice in accordance with instructions as set out in the notice.
15. (a) Penalties imposed pursuant to Rule 13 and 14 must be paid:
- (i) within 28 days of the date of the infringement notice showing the breach as having been committed; or
  - (ii) where applicable, within 28 days of notification that any objection has been rejected by the Infringement Processing Bureau of the Department of Police Services whichever is the latter.

### **Appointment of Officers**

16. The Director may appoint any member of staff or contractor as a Prescribed Officer.

### **Exemptions**

17. A particular person or vehicle or category of person or vehicle may be exempted from the application of any of the foregoing Rules for a particular time or purpose or in respect of a particular part of the Campus and otherwise upon such conditions as may be specified. This power of exemption shall be exercisable by the Vice-Chancellor, the Director, or the Campus Services Manager.