

FACT SHEET

Local Government (Highways) Amendment Bill 2019

This legislation is designed to amend the *Local Government (Highways) Act 1982* to modernise the legislation to reflect advances in parking payment technologies and also ensure the effective operation of controlled parking on State highways in municipal areas.

A State highway is defined in the *Local Government (Highways) Act* as being all State highways and subsidiary roads within the meaning of the *Roads and Jetties Act 1935*.

The Bill amends Part VII of the *Local Government (Highways) Act* to:

- Provide for the use of virtual meters, which enable parking payments to be made via a computer, mobile phone or other electronic device.
- Remove specific references to coins and replace these with broader references to payments.
- Clarify the powers of the Minister for State Highways and municipal councils with respect to controlled parking on State highways in municipal areas by providing that:
 - the Minister for State Highways is responsible for determining the location of controlled parking and the hours and days of operation of controlled parking on State highways in municipal areas
 - municipal councils are responsible for the day-to-day management of controlled parking and all enforcement activities.
- Clarify that the prescribed penalty on an infringement notice is the sum specified in the council by-laws of the municipal area in which a parking space is situated.
- Make a number of minor and technical amendments designed to ensure the effective operation of controlled parking on local highways and State highways in municipal areas.

The Bill also amends the *Local Government (Highways) Act* to provide the Minister for State Highways with an express power to delegate his or her functions and powers under the *Local Government (Highways) Act*.

The new arrangements will come into effect on Royal Assent.