



ANNO SEXTO

**ELIZABETHAE II REGINAE**

A.D. 1957.

\*\*\*\*\*

**No. 1 of 1957.**

**An Act to amend the Local Government Act,  
1934-1954.**

[Assented to 21st February, 1957.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the "Local Government Act Amendment Act, 1956-1957". Short titles.

(2) The Local Government Act, 1934-1954, as amended by this Act, may be cited as the "Local Government Act, 1934-1957".

(3) The Local Government Act, 1934-1954, is hereinafter referred to as "the principal Act".

2. The following Part is enacted and inserted in the principal Act after Part XXIII thereof :— Enactment of Part XXIII A of principal Act.

**PART XXIII A.**

**PARKING METERS AND PARKING STATIONS  
IN MUNICIPALITIES.**

475a. Subject to the provisions of this Act, any municipal council may, in addition to making by-laws under any other provision of this Act, make by-laws for all or any of the following purposes :— Power of municipal councils to make by-laws as to parking meters.

1957. Local Government Act Amendment No. 1.  
Act, 1956-1957.

---

- I. For appointing any public street, road, or place or any portion of any public street, road, or place as a metered zone for the standing of vehicles and for the marking out of metered spaces within any such metered zone :
- II. For the erection and maintenance in such public streets, roads, or places of parking meters or other appliances or devices for automatically measuring and indicating the time within which a vehicle is or may be parked or stood in or at a metered space or metered zone and for regulating the use of such parking meters, appliances or other devices :
- III. For fixing charges to be paid by the owners or drivers of vehicles for the parking or standing of vehicles in or at any such metered zone or metered space and prescribing the manner in which such charges shall be calculated, ascertained and paid, and for prohibiting the parking or standing of vehicles in or at any such metered zone or metered space unless the said charges are paid :
- IV. For regulating the use, supervision and letting of any such metered zone or metered space and fixing the number and class of vehicles by which and the manner in which the same may be used :
- V. For fixing penalties not exceeding twenty pounds for any offence against or breach of any such by-law.

Procedure as  
to by-laws.

475b. (1) Every by-law made under section 475a shall, after it has been certified as provided by section 674—

- (a) be submitted to the Governor for confirmation and may, if the Governor thinks proper, be confirmed by the Governor ;
- (b) after confirmation by the Governor, be published in the *Gazette* ;
- (c) subject to subsection (2) hereof, take effect from the date of such publication or from a later date fixed in the by-law ;
- (d) be laid before both Houses of Parliament within fourteen days after such publication, if Parliament is in Session, and if not, then within fourteen days after the commencement of the next Session of Parliament.

(2) If either House of Parliament passes a resolution disallowing any such by-law, of which resolution notice has been given at any time within fourteen sitting days of such House after such by-law has been laid before it, such by-law shall thereupon cease to have effect, but without affecting the validity, or curing the invalidity, of anything done, or of the omission of anything, in the meantime.

This subsection shall apply notwithstanding that the said fourteen sitting days, or some of them, do not occur in the same Session of Parliament as that in which the by-law is laid before such House.

(3) When a resolution has been passed as mentioned in subsection (2) hereof, notice of such resolution shall forthwith be published in the *Gazette*.

(4) Section 675 shall not apply with respect to any such by-law but all the other provisions of Division I of Part XXXIX shall apply to any such by-law.

(5) Notwithstanding subsections (1) to (4) inclusive of this section, when the council first makes by-laws under section 475a in pursuance of the powers conferred by paragraph III or paragraph v of section 475a then the provisions of subsections (1) to (4) inclusive of this section shall not apply with respect to such by-laws but, whether the by-laws contain, in addition, provisions made in pursuance of paragraphs I, II or IV of section 475a or otherwise, the provisions of section 675 and the other provisions of Division I of Part XXXIX shall apply with respect to the by-laws. The provisions of subsections (1) to (4) inclusive of this section shall, however, apply to all subsequent by-laws made by the council under section 475a.

475c. (1) Any by-law made under section 475a may provide that the council may from time to time by resolution—

Provision  
in by-law  
as to  
resolutions  
of council.

(a) declare any public street, road, or place or any portion of a public street, road, or place to be a metered zone ;

(b) declare the number and situation of metered spaces within a metered zone.

(2) The council may in pursuance of any such by-law from time to time pass any such resolution and may from

time to time by resolution revoke or vary any such resolution but no such resolution shall be passed except at a meeting of the council at which at least two-thirds of the members then in office are present.

(3) Every such resolution shall be published in the *Gazette*.

Marking of  
metered  
zones and  
spaces.

475d. Every metered zone and metered space appointed pursuant to any by-law made under section 475a or declared pursuant to any resolution pursuant to section 475c shall be indicated or marked out on the public street, road, or place either by signs erected therein or markings thereon or by both as the council shall think fit.

Liability  
of council.

475e. If any by-laws are made under section 475a the council shall not be under any liability by reason of the use of any metered zone, metered space, parking meter or other appliance or device in pursuance of any such by-law in respect of any vehicle thereon or any person using the same unless the liability is specifically imposed under the by-law.

Evidentiary  
provision.

475f. In any proceedings against the owner or driver of any vehicle for an offence against any by-law made under section 475a, if proof is given that any vehicle was parked or was standing in or at any metered space or metered zone contrary to the by-law, the owner or driver, as the case may be, shall be deemed to have left the vehicle in or at the metered space or metered zone unless he satisfies the court to the contrary.

Powers of  
council as  
to parking  
stations.

475g. (1) Any municipal council may construct and provide on land vested in or leased by or otherwise under the care, control, or management of the council, and may manage car parks, parking stations, garages and similar places in which vehicles may be left and may, from time to time, fix fees and charges to be made for the use of any such car park, parking station, garage or other place or for any services rendered thereat.

(2) Every such car park, parking station, garage or other place shall be deemed a permanent work or undertaking for the purpose of this Act.

(3) The council may make by-laws with respect to the management of any such car park, parking station, garage

or other place, the conduct of persons therein, and with respect to the fees and other charges to be made for the use thereof or for services rendered thereat, and may fix penalties not exceeding twenty pounds for any offence against or breach of any such by-law.

Section 475b shall not apply with respect to any such by-law but all the provisions of Division I of Part XXXIX shall so apply.

(4) This section shall not authorize the council to construct or provide on any park lands any garage, building of any kind, petrol pump or similar structure or to enclose any park lands so as to prevent access thereto by the public.

3. Section 3 of the principal Act is amended by inserting therein after the line "Part XXIII—Foreshores and Jetties" the line "Part XXIII<sub>A</sub>—Parking Meters and Parking Stations in Municipalities".

Consequential  
amendment of  
principal  
Act, s. 3—  
Arrangement  
of Act.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

R. A. GEORGE, Governor.