Airports (Control of On-Airport Activities) Amendment Regulations 2009 (No. 1)[1]

Select Legislative Instrument 2009 No. 290

I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Airports Act 1996*.

Dated 29 October 2009

QUENTIN BRYCE
Governor-General

By Her Excellency's Command

ANTHONY ALBANESE
Minister for Infrastructure, Transport, Regional Development and Local Government

1   Name of Regulations

These Regulations are the *Airports (Control of On-Airport Activities) Amendment Regulations 2009 (No. 1)*.

2   Commencement

These Regulations commence on the day after they are registered.

3   Amendment of *Airports (Control of On-Airport Activities) Regulations 1997*

Schedule 1 amends the *Airports (Control of On-Airport Activities) Regulations 1997*.

Schedule 1   Amendments

(section 3)

[1]   Subregulation 106BA (1)

after

   for an airport must

insert

   , for each financial year,

[2]   After subregulation 106BA (1)

insert

 (1A)   An airport-operator company for an airport must:
    (a)   publish the parking signage plan on the airport's website; and
    (b)   for the airports mentioned in paragraphs 106A (a) to (h) — give a copy of the parking signage plan to:
        (i)   the Australian Federal Police; and

(ii) the State police force or service in the State in which the airport is situated.

[3]   After subregulation 106BA (3)

insert

Parking signage plan

(4) An airport-operator company for an airport must:
  (a) give the parking signage plan for the airport for a financial year to the Secretary within 10 business days after the end of the financial year; and
  (b) comply with subregulation (1A), in relation to the parking signage plan for a financial year, within 10 business days after the end of the financial year.

Standard operating procedures

(5) An airport-operator company for an airport must give the standard operating procedures for the airport for a financial year to the Secretary within 10 business days after the end of the financial year.

[4]   After regulation 106BA

insert

106BB   Variation of parking signage plan

(1) An airport-operator company may vary a parking signage plan at any time:
  (a) after the airport-operator has complied with regulation 106BA for a financial year; and
  (b) before the airport-operator company is required to comply with regulation 106BA for the next financial year.

(2) If an airport-operator company for an airport varies a parking signage plan, the airport-operator company must give the Secretary a copy of the varied parking signage plan as soon as practicable after the variation has been made.

(3) The varied parking signage plan for the airport takes effect the day after the airport-operator company complies with subregulation (2).

(4) The airport-operator company must:

 (a) publish the varied parking signage plan on the airport's website; and

 (b) for the airports mentioned in paragraphs 106A (a) to (h) — give a copy of the varied parking signage plan to:

  (i) the Australian Federal Police; and

  (ii) the State police force or service in the State in which the airport is situated.

(5) The airport-operator company must comply with subregulation (4), in relation to the varied parking signage plan for the airport, as soon as practicable after the variation takes effect.

[5]   Regulation 107, except the notes

substitute

107   Offences against Australian Road Rules

(1) This regulation does not apply if:

 (a) a person is a driver of an emergency vehicle; and

 (b) the person is driving the vehicle in the course of his or her duties at the time the person contravenes a rule or subrule of the Australian Road Rules mentioned in Schedule 2, as applied by regulation 106E.

(2) A person commits an offence if the person contravenes a rule or subrule of the Australian Road Rules mentioned in Schedule 2, as applied by regulation 106E.

Penalty: The penalty units mentioned in Schedule 2 for that rule or subrule for the airport at which the offence occurs.

(3) An offence against subregulation (2) is:

 (a) a strict liability offence; and

 (b) an infringement notice offence.

[6]   After subregulation 110 (3), including the penalty

insert

(3A) Subregulation (3) does not apply if:
   (a)   the driver is a driver of an emergency vehicle; and
   (b)   the driver is driving the vehicle in the course of his or her duties at the time the driver contravenes a parking control provision.

[7]   Paragraph 114 (c)

omit

   company.

insert

   company; or

[8]   After paragraph 114 (c)

insert

   (d)   a member or special member of the Australian Federal Police.

[9]   Paragraph 121 (d)

omit

   vehicles.

insert

   vehicles; or

[10]   After paragraph 121 (d)

insert

   (e)   a member or special member of the Australian Federal Police.

[11]   Paragraph 132 (c)

omit

airport.

insert

airport; or

[12]   After paragraph 132 (c)

insert

(d) a member or special member of the Australian Federal Police; or

(e) a contractor to an airport-operator company.

[13]   Schedule 2

substitute

Schedule 2   Penalties for contravention of applied Australian Road Rules

(regulation 107)

1   Penalties for contravention of applied Australian Road Rules

In the following table:

(a) columns 2 and 3 of an item specify the rule or subrule of the Australian Road Rules that have been applied by regulation 106E and a description of the rule or subrule; and

(b) columns 4 to 11 of an item specify the penalty unit or penalty units that apply:

   (i) for a contravention of that rule or subrule under subregulation 107 (2); and

   (ii) for the airport at which the offence occurs.

Item	Rule or subrule	Description of rule	Sydney (Kingsford-Smith) Airport	Melbourne (Tullamarine) Airport	Brisbane Airport	Perth Airport	Hobart Airport	Gold Coast Airport	Townsville Airport	Launceston Airport
1	167	No stopping signs	6	5	3	5	4	3	2	4
2	168 (1)	No parking signs	3	3	3	3	2	3	1	2
3	169	No stopping on a road with a yellow edge line	6	5	3	5	4	3	2	4
4	170 (1)	Stopping in or near an intersection	3	5	2.5	5	4	3	2	4
5	170 (2)	Stopping in or near an intersection	3	5	2.5	5	4	3	2	4
6	170 (3)	Stopping in or near an intersection	3	5	2.5	5	4	3	2	4
7	172 (1)	Stopping on or near a pedestrian crossing (except at an intersection)	9	5	5.5	5	4	5	2	4
8	176 (1)	Stopping on a clearway	9	5	5.5	5	4	3	2	4
9	178	Stopping in an emergency stopping lane	6	5	5.5	5	4	3	2	4
10	179 (1)	Stopping in a loading zone	3	3	3	3	2	3	2	2
11	179 (2)	Stopping in a loading zone	3	3	3	3	2	3	2	2
12	180 (1)	Stopping in a truck zone	3	3	3	3	2	3	2	2
13	181 (1)	Stopping in a works zone	3	3	3	3	2	2	2	2
14	182 (1)	Stopping in a taxi zone	3	3	3	3	2	3	2	2
15	183 (1)	Stopping in a bus zone	3	3	5.5	5	2	3	2	2
16	184 (1)	Stopping in a minibus zone	3	3	3	5	2	3	2	2
17	185 (1)	Stopping in a permit zone	3	3	3	5	2	3	2	2

Item	Rule or subrule	Description of rule	Sydney (Kingsford-Smith) Airport	Melbourne (Tullamarine) Airport	Brisbane Airport	Perth Airport	Hobart Airport	Gold Coast Airport	Townsville Airport	Launceston Airport
18	186 (1)	Stopping in a mail zone	3	3	3	5	2	3	2	2
19	189 (1)	Double parking	3	3	2.5	3	4	3	2	4
20	197 (1)	Stopping on a path, dividing strip or nature strip	3	5	2.5	5	2	2	1	2
21	198 (1)	Obstructing access to and from a footpath, driveway etc	3	3	2.5	3	2	2	2	2
22	198 (2)	Obstructing access to and from a footpath, driveway etc	3	3	2.5	3	2	2	2	2
23	202	Stopping on a road with motor bike parking sign	3	3	3	5	2	3	2	2
24	203 (1)	Stopping in a parking area for people with disabilities	9	5	5.5	3	4	5	2	4
25	205	Parking for longer than indicated	3	3	2.5	3	2	3	1	2
26	207 (2)	Parking where fees are payable	3	3	2.5	3	2	3	2	2
27	208 (1)	Parallel parking on a road (except in a median strip parking area)	3	3	2.5	3	2	2	1	2
28	209 (2)	Parallel parking in a median strip parking area	3	3	2.5	3	2	2	1	2
29	210 (1)	Angle parking	3	3	2.5	3	2	2	1	2
30	211 (1)	Parking in parking bays	3	3	2.5	5	2	2	1	2
31	211 (2)	Parking in parking bays	3	3	2.5	5	2	2	1	2

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Item	Rule or subrule	Description of rule	Sydney (Kingsford-Smith) Airport	Melbourne (Tullamarine) Airport	Brisbane Airport	Perth Airport	Hobart Airport	Gold Coast Airport	Townsville Airport	Launceston Airport
32	211 (3)	Parking in parking bays	3	3	2.5	5	2	2	1	2
33	212 (1)	Entering and leaving a median strip parking area	3	3	3	3	2	2	1	2
34	212 (2)	Entering and leaving a median strip parking area	3	3	3	3	2	2	1	2

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See http://www.frli.gov.au.