REGULATION 8.1.R9
MADE UNDER STATUTE 8.1
8.1.R9 – TRAFFIC AND PARKING RULES

1. INTRODUCTION

(1) This Regulation may be cited as 'The University of Melbourne Traffic and Parking Rules (2008 Revision)', referred to in this Regulation as 'the Rules'.
(2) The Rules govern traffic and parking on all University premises and penalties apply to a breach of the Rules.
(3) The vice-principal (property and campus services) or nominee is the person duly authorised by Council to have the principal responsibility for traffic and parking issues and to make decisions under this Regulation.

2. DEFINITIONS-

'**Council'** means Council of the University of Melbourne;
'**driver'** means any person driving or in control of a vehicle;
'**footway'** includes every footpath, lane, or other place intended for the use of pedestrians but not for the use of vehicles;
'Infringement Act' means the *Infringement Act 2006 (Vic)* as amended from time to time;
'**motorised vehicle'** means any vehicle propelled or built to be propelled by motor or electrical means and includes any motor car, motor truck, carriage, motor cycle, motor scooter, or other conveyance of whatever kind or nature and howsoever ridden, driven or propelled, but does not include a gator, buggy or motorised wheelchair capable of speeds of not more than 10 kilometres per hour;
'**non-motorised vehicle'** means non-motorised vehicles designed to be propelled solely by human power such as unicycles, bicycles, tricycles, quadricycles, skateboards, rollerblades; rollerskates, non-motorised scooters and other similar forms of non-motorised transport;
'**park'** means to leave a vehicle standing (whether attended or not);
'Parking Infringement Notice' means a notification issued under the *Road Safety Act 1986 (Vic)* as amended from time to time;
'Parkville campus' means the area marked on the attached map headed 'Parkville';
'parking permit' means a parking permit issued by the vice-principal (property and campus services) or nominee giving permission to park a vehicle pursuant to these Rules;
'**prescribed fee'** means the fee, if any, payable for the issue of a parking permit pursuant to these Rules;
'public parking ticket' means a ticket issued by a machine for a fee giving permission to park on a casual basis pursuant to these Rules;
'Road Safety Act' means the *Road Safety Act 1986 (Vic)* as amended from time to time;
'**roadway'** means any road, street, lane or thoroughfare open to and intended for use by vehicles;
'**staff'** includes honorary and retired staff as well as salaried employees of the University;
'**traffic officer'** means a person duly authorised by the vice-principal (property and campus services) or nominee to enforce the Rules;
'University property' means all University premises, fittings, furniture, equipment, materials and other objects owned, occupied or controlled by the University;
'**University premises'** means all buildings and grounds owned, occupied or controlled by the University;
'VCA campus' means the area marked on the attached map headed 'VCA'; and
'**vehicle'** includes both a motorised vehicle and non-motorised vehicle.

3. APPLICATION OF THE RULES

(1) The Rules apply to all University premises at all times.
(2) Every driver must at all times observe and comply with-
    (a) pedestrian rights of way within University premises;
    (b) all parking and traffic signs erected or displayed;
    (c) all instructions and directions of any traffic officer, irrespective of any provision contained in the Rules; and
    (d) the Road Safety Act.
(3) The Rules do not apply to the drivers of emergency vehicles (as defined in the Road Safety Act) whilst using those vehicles in the performance of their duties.

4. PARKING IS AT OWN RISK

The University accepts no responsibility whatsoever for any loss or damage that may occur while a vehicle is within University premises even if caused by the negligence of the University, its officers or agents. Parking is at the risk of the owner.

5. ENTRANCE OF MOTORISED VEHICLES TO UNIVERSITY PREMISES

A person must not drive or bring a motorised vehicle onto University premises unless-

(a) the vehicle bears a current parking permit issued pursuant to the Rules; or
(b) signs at the entrance to the University premises specify that the person may drive the motorised vehicle onto that part of the University premises; or
(c) the vehicle belongs to one of the categories set out in section 7(1)(c) below.

6. RULES APPLYING TO TRAFFIC

(1) A person who drives a motorised vehicle on University premises must-
   a. only drive on a roadway or within a parking or service area;
   b. drive safely at all times; and
   c. obey the instructions of any traffic officer.

(2) A person who drives a motorised vehicle on University premises must not-
   (a) exceed 15 kilometres per hour unless a sign permits a higher speed;
   (b) drive on the footbridge over Swanston Street; or
   (c) exit from a parking area without giving way to all other vehicles.

(3) A person who rides or uses a non-motorised vehicle must -
   (a) give way to pedestrians;
   (b) ride or use the non-motorised vehicle safely at all times; and
   (c) obey the instructions of any traffic officer.

(4) A person, who rides or uses a non-motorised vehicle must not ride or use the non-motorised vehicle, unless otherwise authorised by a traffic officer-
   (a) on the footbridge over Swanston Street;
   (b) on any footway;
   (c) in any building; or
   (d) so as to cause or risk damage to University property.

(5) A person must not drive a gator or buggy on University premises unless -
   (a) it is University property and used to provide services to the University; and
   (b) the person has a Victorian drivers licence and has completed a course of driver training approved by the vice-principal (property and campus services) or nominee.

(6) A person who drives a gator or buggy on University premises must-
   (a) give way to pedestrians;
   (c) ride or use the non-motorised vehicle safely at all times; and
   (d) obey the instructions of any traffic officer.

(7) A person who drives a gator or buggy on University premises must not-
   (a) risk or cause damage to University property; or
   (b) drive at a speed greater than walking pace.

7. RULES APPLYING TO PARKING

(1) A person must not park a motorised vehicle on University premises unless-
   (a) the vehicle bears a valid parking permit; or
   (b) the vehicle bears a valid public parking ticket; or
   (c) the vehicle is -
      (i) a taxi cab carrying or summoned to collect passengers;
      (ii) a vehicle which is, to the satisfaction of a traffic officer, currently legitimately engaged in making a delivery to the University;
      (iii) the vehicle of a visitor whose entry has been approved by the vice-principal (property and campus services) or nominee;

(iv) the vehicle of a person who has paid the prescribed fee and received approval to look for parking on University premises; or
(v) a motor cycle or motor scooter; or
(d) the signs specifically allow parking in that area without a parking permit or a public parking ticket.

(2) A visitor may not park on the Parkville or VCA campuses unless they also-
(a) obtain prior authorisation from the relevant head of department; and
(b) make prior arrangement with the vice-principal (property and campus services) or nominee; and
(c) the prescribed fee is paid.

(3) A person who parks a motorised vehicle on University premises must, unless otherwise authorised by a traffic officer, park -
(a) only in an area which is a designated parking bay; and
(b) in a manner that ensures the vehicle does not extend beyond the confines of a single bay.

(4) A person who parks a motorised vehicle on University premises must not, unless otherwise authorised by a traffic officer, park in a space reserved for another vehicle.

(5) A person who holds a parking permit and parks a motorised vehicle on University premises must, unless otherwise authorised by a traffic officer, park -
a) in accordance with the Rules governing their permit type; and
b) for not more than 48 hours continuously in any parking area.

(6) A person who holds a public parking ticket and parks a motorised vehicle on University premises must, unless otherwise authorised by a traffic officer, park-
(a) in accordance with the Rules;
(b) in accordance with any signs in the area; and
(c) in accordance with any conditions on their public parking ticket.

(7) A person may only park a motor cycle or a motor scooter in a parking area which is designated as a parking area for motor cycles and motor scooters, unless otherwise authorised by a traffic officer.

(8) Any vehicle left standing in any position so as to interfere with or obstruct other vehicles
(a) or the passage of pedestrians or so as to otherwise contravene the Rules may be moved
(b) or immobilised by or under the authority of the vice-principal (property and campus services) or nominee at the risk and expense of the owner.

8. PARKING PERMITS

(1) A parking permit gives the permit holder the right to enter University premises for the purpose of looking for an available parking space in accordance with the category of permit but does not guarantee that there will be an available parking space.

(2) The vice-principal (property and campus services) or nominee may determine the eligibility criteria for the issue of parking permits and may authorise a person to obtain a parking permit.

(3) The vice-principal (property and campus services) or nominee may-
a) require applications for parking permits to be in a prescribed form;
b) require applications for parking permits to be accompanied by a prescribed fee;
c) determine whether the applicant meets the eligibility criteria for parking permits;
(e) at their discretion authorise the applicant to obtain a parking permit; and
(f) at their discretion withdraw any parking permit.

(4) The designation of reserved parking spaces and the application process for reserved parking permits are as determined from time to time by Council.

(5) Students and staff with disabilities who do not meet the eligibility criteria may apply to the University Health Service for a letter of recommendation to the vice-principal (property and campus services) or nominee for the grant of a parking permit.

(6) A student with a disability may apply to have the fee for a parking permit waived provided that they obtain a letter of recommendation from Student Financial Aid.

(7) A fresh application for a parking permit must be made each year.

(8) Parking permits are issued annually by the vice-principal (property and campus services) or nominee and are valid from 1 January until 31 December in the year of issue.

(9) A parking permit will not be issued unless an application has been made in the form prescribed by the vice-principal (property and campus services) and includes a signed undertaking by the applicant to comply with and be bound by the Rules.

(10) The parking permit must be affixed to the bottom right hand corner the driver's side of the windscreen of the vehicle and be clearly visible at all times.

(11) A parking permit remains the property of the University and must be returned to the University immediately if-
   (a) the vehicle in respect of which the parking permit has been issued is disposed of;
   (b) the vice-principal (property and campus services) or nominee withdraws the parking permit; or
   (c) the person to whom the parking permit is issued ceases to be an employee or student of the University or otherwise ceases to be eligible for the permit.

(12) The vice-principal (property and campus services) or nominee may, at their discretion, issue a substitute permit provided that an application is made in writing if-
   (a) a damaged parking permit is returned to the vice-principal (property and campus services) or nominee; or
   (b) a statutory declaration is submitted to the vice-principal (property and campus services) or nominee setting out how the parking permit has been destroyed, lost or stolen.

(13) A parking permit must not be made available to another person, whether by loan, sale or otherwise. The vice-principal (property and campus services) or nominee may withdraw a parking permit immediately if this rule 8 (13) is breached.

(14) A person to whom a parking permit is issued is responsible for any breach of the Rules or any damage caused by the vehicle which bears the parking permit. This rule 8 (14) applies even if another person drove or parked the vehicle and caused the breach of the Rules or the damage.

(15) A person who has a parking permit may cancel or suspend their permit and receive a pro rata refund of any fee paid in advance. Suspensions will only be allowed for a period of two months or more.

9. BREACH OF RULES AND PENALTIES

(1) Penalties apply to breaches of the Rules.

(2) If these Rules are breached the vice-principal (property and campus services) or nominee or any traffic officer may issue a Parking Infringement Notice requiring the owner, driver or any other person responsible to pay a fine or, in the case of a student, may choose to treat the breach as a general misconduct matter under Statute 13.1 - Student Discipline.

(3) A Parking Infringement Notice may be delivered by-
   (a) handing the Parking Infringement Notice to the owner, the driver, or any other person responsible; or
   (b) placing the Parking Infringement Notice under the wiper blade of the vehicle or affixing the Parking Infringement Notice to the vehicle in some other way

(4) Provided that no additional action in respect of the breach of the Rules has been taken by the University under rule 9(2) the Parking Infringement Notice may be disposed of by paying the fine within the time set out in the Parking Infringement Notice.

(5) Any person disputing the fine may apply to the vice-principal (property and campus services) or nominee to have the fine set aside. The application must be in writing and set out the reasons why the fine should be set aside. The decision to set aside the fine is at the discretion of the vice-principal (property and campus services) or nominee. If the vice-principal (property and campus services) or nominee does not set the fine aside then the fine must be paid within the period of time stated in the letter advising that the fine will not be set aside.

(6) The vice-principal (property and campus services) or nominee may at their discretion decide to withdraw the authority of a person to park a vehicle within University premises. This is in addition to imposing a fine.

(7) Before withdrawing the authority of a person to park on University premises the vice-principal (property and campus services) or nominee will notify the person of their intention to do so and offer the person the opportunity to provide any reasons why their authority to park should not be withdrawn. Any reasons must be provided in writing to the vice-principal (property and campus services) or nominee by the date set out in the notice.

(8) A person whose authority to park a vehicle within University premises has been withdrawn may lodge an appeal against the decision of the vice-principal (property and campus services) or nominee by notice in writing delivered to the university secretary within fourteen days of the date of withdrawal of the authority. The notice must set out the grounds of the appeal.

(9) The university secretary must appoint a committee to hear any appeal lodged pursuant to rule 9 (8). The membership of the committee will be determined by the university secretary. The decision made by the committee is final.

(10) Where a vehicle is parked or left standing or driven by a person in contravention of the Rules, the registered owner of the vehicle will be held responsible under the Rules for the contravention, notwithstanding that another person was responsible, unless and until a person is identified to the satisfaction of the vice principal (property and campus services) or nominee as the person who contravened the Rules.

(11) Any vehicle found parked in contravention of the Rules may be immobilised until any applicable penalty has been paid to the University. This will be at the expense and risk of the owner.

(12) The vice-principal (property and campus services) or nominee may, at their discretion, deny a person permission to bring any vehicle onto University premises if they have concerns that the person will not use the vehicle in a safe manner or the person has previously breached rule 6.

(13) Any non-motorised vehicle left in a position so as to cause an obstruction to any vehicle or pedestrian or disabled person may be moved or impounded by a traffic officer. A traffic officer may remove any chain, fixing or security device for the purpose of moving or impounding the non-motorised vehicle. This will be at the expense and risk of the owner.

10. AMOUNT OF FEE OR PENALTY

(1) The prescribed fees payable for parking permits are as fixed from time to time by Council on recommendation from the finance committee.

(2) The penalty applicable to a contravention of the Rules will be such amount as fixed from time to time by the Infringement Act.

(3) The prescribed fees payable for the removal of immobilisation devices are as fixed from time to time by Council on recommendation from the finance committee.

[Reg. subst. 2/7/01, Appendix 3 s.2 am. 3/9/01, Appendix 1 am. 3/6/02, Appendix 1 am. 7/10/02, ss. 1(1) and 1(3) am., s. 7(5) subst., Appendix 1 subst., 5/4/04, Appendix 1 am., 13/9/04, Appendix 1 am., 11/9/06. Reg subst 17/03/08]