

Rules Governing Traffic and Parking

Section 1 - Introduction

(1) This Rule applies to all vehicles brought onto the Callaghan and Ourimbah Campuses of the University and to the University's Newcastle CBD Campus. Traffic and parking on the Campus is also regulated by the Road Transport Legislation of New South Wales and by the University's [Motor Vehicle Entry Fee Policy](#) 2006.

(2) This Rule is made by the University Council under the [University of Newcastle Act 1989 No 68](#) and [University of Newcastle By-law 2017](#) and as the owner or manager or controller of the Campus.

Section 2 - Definitions

(3) Associate Director, Asset and Property Services means the Associate Director, Asset and Property Services for the time being of the University.

(4) Campus means:

- a. the Callaghan campus (being the land bounded by, but not including, University Drive, Highway Route 123, the main Northern rail line and the Shortland waters golf course);
- b. the Newcastle CBD campus:
 - i. Hunter Street, Worth Place, Northern rail line and Steel Street;
 - ii. being the land bounded by, but not including, Auckland Street, Hunter Street, Darby Street and King Street;
 - iii. being the land bounded by, but not including, Auckland Street, Gibson Street, Laman Street and Charles Street;
 - iv. being the land bounded by, but not including, King Street, Pacific Street, Ocean Street, Shortland Esplanade, Church Street and Watt Street;
- c. the Ourimbah campus (being that part of Ourimbah bounded by, but not including, Chittaway Raod, Brush Road and the Northern rail line).

(5) Drive means 'be in control of'.

(6) Driver means any person driving or in control of a vehicle.

(7) Director, Infrastructure and Facilities Services means the Director, Infrastructure and Facilities Services for the time being of the University.

(8) Infringement Notice means a piece of paper on which particulars of an offence alleged to have been committed in breach of this Rule are recorded and which is affixed to a vehicle or sent by post.

(9) Leave standing means to stop a vehicle or to permit a vehicle (whether attended or not) to remain stationary.

(10) Member of staff means an academic or professional member of staff of the University, (whether employed full-time or part-time) or an employee of NUSport and UoN Services Ltd who is employed on a full-time, permanent basis.

Where a part-time employee is also a student, that person must be employed by the University for more than eight (8) hours a week on an ongoing basis for a minimum period of one year.

(11) Owner in relation to a vehicle has the same meaning as the definition in s3 of the [Road Transport \(General\) Act 2005](#).

(12) Parking Bay means an area for parking a vehicle which is indicated by markings consisting of lines, studs or similar devices or by a different road surface.

(13) Parking Permit means a parking permit issued under this Rule and includes a daily parking permit either issued by a parking permit machine or in the form of a “scratch and display” permit and any other type of parking permit issued by the University.

(14) Prescribed Officer means a Security/Parking Officer, a Security/Parking Supervisor or any other member of staff authorised by the Associate Director, Asset and Property Services for the purposes of this Rule.

(15) Register means the “Register of Vehicles Authorised to be Parked on Campus” to be kept pursuant to Section 3 of this Rule.

(16) Road Transport Legislation means the following:

- a. the [Road Transport \(General\) Act 2005](#);
- b. the [Road Transport \(Driver Licensing\) Act 1998](#);
- c. the [Road Transport \(Heavy Vehicles Registration Charges\) Act 1995](#);
- d. the [Road Transport \(Safety and Traffic Management\) Act 1999](#);
- e. the [Road Transport \(Vehicle Registration\) Act 1997](#);
- f. any other Act or regulation (or any provision of such an Act or regulation) prescribed by the regulations or any regulation made under any Act referred to in paragraphs (a) to (f) or any provision of such an Act.

(17) Student means a person enrolled in any postgraduate or undergraduate course or program of the University.

(18) University means the University of Newcastle.

(19) University Road means any street, road, lane, thoroughfare, footpath or place under the control of the management of the University.

(20) Vehicle means a motor vehicle (except a motor bike) that is constructed principally for the conveyance of persons.

(21) Vice-Chancellor means the Vice-Chancellor for the time being of the University.

(22) Visitor means any person who brings a vehicle on to the Campus and who is not a member of staff or student.

Section 3 - Bringing Vehicles on to the Campus

(23) A member of staff, a student or visitor to the Campus must not park a vehicle on the Campus unless he or she has first obtained a parking permit for the vehicle.

- a. Parking machine permits, must clearly display the day, month, date and entry time and placed on the dashboard so it is clearly visible from the outside of your vehicle.
- b. Scratch and display permits must clearly be displayed on the dashboard of your vehicle for the duration of your parking. Scratch the day, month, date of use and display so it is clearly visible from the outside of your vehicle.

- c. Electro static permits must clearly display the permit number, expiry and be placed on the bottom left hand side of the vehicle's front windscreen so it is clearly visible from the outside of your vehicle. This permit is transferable.
- d. Temporary dashboard parking permits must clearly display all details and be placed on the dashboard of your vehicle. The permit once issued cannot be altered or tampered with in any way or it shall be deemed invalid.
- e. Failure to display a parking permit as above will render it invalid.

(24) Where applicable, a member of staff, a student or visitor to the Campus must not park a vehicle on the Campus unless he or she has used the parking meter as instructed at the rate for the specified time limit for the appropriate bay.

(25) The University will establish the Register which will be maintained by the Associate Director, Asset and Property Services. The following information will be recorded in the Register:

- a. the permit number, date issued, staff number, name, type of payment, time issued and description for which a parking permit (other than a daily parking permit) has been issued; and
- b. the name, address and qualifying status of the applicant for such a permit.

(26) Where a holder of a parking permit (other than a daily parking permit) changes his or her name, address or qualifying status or disposes of the vehicle for which the parking permit has been issued, he or she shall notify the Associate Director, Asset and Property Services within fourteen (14) days of the event occurring.

(27) A parking permit (other than a daily parking permit) will not be valid when:

- a. the vehicle for which it was issued is no longer owned by or available to the person to whom the parking permit was issued; or
- b. the person to whom the parking permit was issued no longer qualifies for the issue of a parking permit; or
- c. the Director, Infrastructure and Facilities Services cancels the parking permit; or
- d. the Director, Infrastructure and Facilities Services cancels all parking permits or all parking permits in a particular category; or
- e. the parking permit (including a daily parking permit) is not legible or has expired
- f. whichever shall be the earlier; or
- g. reserved dashboard parking permit ceases to be valid if tampered or altered in any way.

(28) When a parking permit (including a daily parking permit) ceases to be valid the person to whom it was issued shall remove it from his or her vehicle.

Section 4 - Parking of Vehicles

(29) Except when picking up or dropping off persons or goods, a driver of a vehicle may only park or leave standing his or her vehicle on the Campus in accordance with the category of parking permit issued or conditions of restricted parking area and other direction.

(30) Where a vehicle is parked or left standing on the Campus in breach of this Rule or in contravention of any parking sign or direction, an infringement notice will be affixed to the vehicle or posted or delivered to the owner or driver of the vehicle or affixed to the vehicle by a Security/Parking Officer, a Security/Parking Supervisor or any other member of staff authorised by the Associate Director, Asset and Property Services for the purposes of this Rule. Hereafter these members of staff will be referred to as 'Prescribed Officer'.

(31) If a vehicle is causing an obstruction or inconvenience on the Campus a Prescribed Officer may organise for the towing of the vehicle at the owners expense.

Section 5 - Traffic

(32) A driver of a vehicle on any part of the Campus shall:

- a. stop the vehicle when signalled to do so by a Prescribed Officer;
- b. give to a Prescribed Officer such information as may be reasonably required;
- c. obey any directions which a Prescribed Officer may reasonably give concerning the driving, parking or moving of the vehicle;
- d. not drive at a speed greater than forty (40) km/h or greater than any other speed which may be indicated by signage;
- e. not drive or leave standing a vehicle in such a manner or in such circumstances which would be an offence if that part of the Campus were a public street and shall obey any sign or direction as if it had been erected, painted, affixed, marked or otherwise displayed on a public street with the authority of the Road and Traffic Authority of New South Wales;
- f. not drive, park or leave a vehicle on any lawn, grassed area, garden, undeveloped area, builder's access road or on any roadway;
- g. comply with all other directions relating to traffic which are indicated by appropriate signs;
- h. not drive a vehicle while it is causing unreasonable noise or inconvenience to other persons or where it may reasonably be expected to cause unreasonable noise or disturbance; and
- i. comply with any determination of the Director, Infrastructure and Facilities Services under Section 7 of this Rule.

Section 6 - Breach of Rule and Penalties

Self-Enforcing Infringement Notice Scheme (SEINS)

(33) The University is authorised to issue notices under the SEINS Scheme which provides for the issuing of penalty infringement notices for traffic and parking offences under the [Fines Act 1996](#) (NSW). SEINS is administered by the Infringement Processing Bureau of the NSW State Debt Recovery Office, which is part of the NSW Office of State Revenue.

(34) Penalty Infringement Notices may be issued for:

- a. exceeding the speed limit; and/or
- b. failing to stop when signalled to do so by a Prescribed Officer; and/or
- c. refusing to provide information required by a Prescribed Officer; and/or
- d. failing to obey instructions given by a Prescribed Officer; and/or
- e. parking in an area not identified as a designated 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.

(35) The scale of penalties for a breach of this Rule are set out in Schedule 1 - Motor Vehicle Entry Fees and Infringement Penalties attached to this Rule.

(36) The infringement may be referred to the Deputy Director, Infrastructure and Facilities Services who will determine whether to cancel a parking permit, or prohibit a person from driving, or driving a particular vehicle or category of

vehicle on Campus.

(37) Vehicles blocking emergency or service roads or parked in a way which may create a danger to other vehicles or pedestrians may be towed away at the owner's expense.

(38) If as a result of any breach of this Rule any damage is caused to University property, the University may take such action as is available to it to recover from the person responsible for the damage any costs or losses incurred by the University as a result of the damage to its property.

(39) Any infringement notice issued under this Rule may be left on or affixed to the vehicle, served personally or be posted.

Section 7 - Objections to the Cancellation of Parking Permits

(40) Within fourteen (14) days of notification that action is being considered by the Director, Infrastructure and Facilities Services under Clause 36 the person on whom the notice was served may lodge an objection with the Director, Infrastructure and Facilities Services. The objection must be in writing and contain grounds as to why the proposed action should not be taken.

(41) Within fourteen (14) days of receipt of the decision of the Director, Infrastructure and Facilities Services, the person objecting may lodge an appeal with the Vice-Chancellor. The appeal must be in writing and must contain grounds on which the appeal is based.

(42) On an objection under this Rule:

- a. the Director, Infrastructure and Facilities Services shall have all the powers of the Associate Director, Asset and Property Services under this Rule;
- b. the Vice-Chancellor shall have all the powers of the Director, Infrastructure and Facilities Services and all other such powers as belong to the Vice-Chancellor by virtue of office.

Section 8 - Appeals Against Penalty Infringement Notices

(43) Under the Road Transport Legislation and the [Fines Act 1996](#) (NSW) a person has four (4) options to deal with an Infringement Notice:

- a. pay the penalty amount within the time specified on the notice;
- b. utilise the "owner-onus" provisions which require the completion of a Statutory Declaration nominating the person actually responsible for the offence;
- c. make a written request to the NSW State Debt Recovery Office for a review on the grounds of exceptional circumstances; or
- d. choose to have the matter heard in court.

(44) If the amount payable under the Penalty Notice has not been paid within the prescribed time the NSW State Debt Recovery Office will issue a Penalty Reminder Notice.

Section 9 - Exemptions

(45) A particular person or vehicle or category of person or vehicle may be exempted from the application of this Rule (or any part of it) for a particular time or purpose or for a particular part of the Campus on such conditions as may be specified by the Vice-Chancellor or the Director, Infrastructure and Facilities Services or the Associate Director, Asset and Property Services.

Section 10 - Schedule

(46) Motor Vehicle Entry Fees and Infringement Penalties Schedule (under review – please contact Infrastructure and Facilities Services)

Status and Details

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Effective Date	30th November 2007
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Responsible Executive	Morven Cameron Chief Operating Officer
Enquiries Contact	Morven Cameron Chief Operating Officer