

2 April 2019

Michael Warren  
[michael@taxpayers.org.nz](mailto:michael@taxpayers.org.nz)

Dear Mr Warren

**Local Government Official Information and Meetings Act 1987 (LGOIMA) request for information on parking officer perks**

I am writing in response to your LGOIMA request of 5 March 2019 requesting information on parking officer perks.

Answers to your questions are provided below.

- 1) Any and all training manuals and/or advice given to parking officers (or wardens).

New Parking Officers are guided through the Parking Services Training Manual (attached) before undertaking on road duties. I advise that the 2016 Training Manual is currently being reviewed.

The new Officers are teamed with experienced Officers, walking patrolled areas for as long as it takes for them to be confident in methods of assessing parking misdemeanours. The time taken can vary between individuals depending on their assessments. Advice and training is ongoing. Open discussion and queries are encouraged.

- 2) Full information regarding any incentives to parking officers (or wardens) to issue tickets, including remuneration in the nature of a commission, performance bonuses and the like.

Parking officers are paid a salary, there are no commission or bonus paid incentives to issue tickets.

- 3) Full information on how the performance of parking officers (or wardens) is recorded in terms of issuing tickets and how it relates to their KPIs.

The issuance of parking infringements is down loaded in real time, through the contractors app. The officers are allocated areas to patrol. On a daily basis the areas may change, but generally allocation of areas is on a rotational roster. The KPI for Parking Officers is that all Requests for Service be attended to within the required timeframes.

- 4) Information regarding the recruitment process of parking officers (or wardens), including what legal and/or educational requirements of training a parking officer (or warden) is required to undertake before commencing work as a parking officer (or warden), including background checks.

Exert from last used Position Description.. May 2018

***Education and Training Needed***

	Essential	Desirable
Education		<ul style="list-style-type: none"><li>NZQA National Certificate of Parking Enforcement levels 1-7</li></ul>
Certification	<ul style="list-style-type: none"><li>Class 1 – Full motor vehicle driving licence.</li><li>Class 6 – Full Motorcycle licence.</li></ul>	

Recruitment process is the same as all other recruitment for the Dunedin City Council. Advertise, shortlist, interview and back ground checks.

Pursuant to section 7(2)(a) of the LGOIMA to protect the privacy of natural persons some information has been redacted from the 2016 Training Manual provided.

As we have withheld some information you are advised that you have the right to seek a review by the Office of the Ombudsman.

Yours faithfully



Rebecca Murray  
**Governance Support Officer**



# **PARKING SERVICES TRAINING MANUAL**



# Parking Services

## Induction for New Staff

Parking Services is an activity unit within the Customer and Regulatory Services Group  
The Group Manager for Customer and Regulatory Services is [REDACTED]  
Team Leader for Parking Services is [REDACTED]

### **Dunedin City Council Hand Book**

All new Council employees are issued with a staff handbook, this contains information on the Council Organisation and Structure, Staff Standards for Staff Conduct, General Employment Conditions, Health and Safety and General Information.

### **Access**

Access to the Civic Centre after hours is gained via the Basement garage roller door, or side door at the Plaza entrance in the Octagon. These will be shown to you on your tour of the building.

### **Toilets / Showers**

Toilets are situated opposite the lifts on all floors of the Civic Centre  
Showers are available for use on the 4<sup>th</sup> and 7<sup>th</sup> floors and in the library basement area.  
N.B, Library toilets are only available during the hours of 8am – 5pm.

### **Breaks and Facilities**

For a standard 8 hour or 10 hour shift there is a 10-minute morning and afternoon tea break, with a 1 hour meal break to be taken under the Team Leaders direction. You must contact office any time you are going to be late in for breaks, this is not to be a regular occurrence.

The staff cafeteria is situated on the 4<sup>th</sup> floor as well as areas provided on individual floors for filtered or boiling water, microwave, fridges, sink, bench, etc. these are shown to all new staff on the induction tour of the building.

## Health and Safety

Members of the Parking Services Team are required to:

- (a) comply with the department's and the Council's Health and Safety policies and procedures and
- (b) actively participate in Health and Safety activities and
- c) take responsibility for personal actions while at work, making sure all practicable steps are taken to ensure personal Health and Safety, and the safety of others and
  - (b) Report any hazards, incidents, accidents or injuries, including muscle pain and discomfort, immediately to the Team Leader, Senior Parking Officer or Parking Health and Safety Representative and file report into Vault. This includes non-work incidents accidents and injuries.

**Vault**

The Council's health and Safety recording system

You are responsible for reporting any accidents, incidents or potential hazards in VAULT, at the earliest opportunity. If you require assistance contact Health and Safety Representative.

**Notice Board**

The Health and Safety notice board is located next to parking office lockers. For information pertaining to Health and Safety Only.

**Lockers and Storage Areas**

Lockers are located in parking office to store personal and work items and in the basement area to store excess items.

**Hazard Register.**

A signed copy is on the notice board.

**Safety Gear (Personal Protective Equipment)**

Wearing of PPE. How it is to be worn. Replacement policy.

AS/NZ Standards, Standard Operating Procedure and Parking protocol.

All safety equipment supplied must be worn in compliance with DCC and departmental health and safety policies.

**Vehicle Use.**

Motor cycle and car checks /maintenance/reporting faults

**First Aid Kits / Room's / First Aiders**

The First Aid Room is located on the 4<sup>th</sup> floor.

Parking Services **First Aid Cabinet** is located in the Parking office above the Autocite cabinet.

A list of Floor first aiders is on the emergency information poster next to exit of parking office.

All motor vehicles are equipped with First aid kits these are placed under the scooter seat or in the storage or glove compartment, a smaller First aid kit is available for officers on foot patrol.

Threatening Behaviour procedures

Adverse Weather Policy

Staying safe while working. Hazard reg.

No Go Areas

**Alarms**

Emergency alarms are located throughout the building by the lifts and exit doors.

**Exits**

Exits are marked and are located by the stairwells at each level throughout the building.

**Do not use lifts in an Emergency.** Follow all instructions given by Fire Wardens. List of Emergency Procedures, Fire Wardens and phone numbers are located on the exit wall to Parking Office, and adjacent to Building emergency exits.

**Fire wardens**

Fire Wardens are assigned to each floor and in an emergency will be identifiable by their Orange arm bands. Follow any instructions as directed by Fire Wardens.

**Fire Hoses**

Fire hoses are located by the lifts, throughout the building.

**Emergency & Evacuation Procedures**

## Fire

When alarms sound **ALL STAFF** must evacuate the building immediately. A voice over will also be heard.

Follow all instructions given by Fire Wardens. For identification purposes they wear an orange arm band. Assembly point is at The front of the Town Hall on Moray Place, or The Octagon - on the grass.

Do not congregate outside building Entrances or Exits

Wait for the all clear, and verbal instructions before re-entering the building.

## Earthquakes/Floods/Disasters

Drop-Cover-Hold. Information covering Disasters procedures for Customer and Regulatory Services is located by Parking office exit. 'DON'T PANIC, identify your disaster', Pink Folder. Parking Services have a Major Disaster plan in place. Located with the above folder. This will be explained during Parking induction.

## Adverse Weather

In the case of heavy snow or adverse weather conditions, follow the links on Connect-Toolbox-Health and Safety drop box.

## In case of emergency Telephone 1-111

### Parking Services Health and Safety Representative ....

All health and safety issues are to be brought to [REDACTED] attention or in [REDACTED] absence to the Team Leader.

Signed: ..... Employee

Signed: ..... Team Leader

Date: .....

# Organisation

Parking Services is an activity within the Customer and Regulatory Services Group.

The Customer and Regulatory Services Group comprises of

- Alcohol Licensing
- Animal Services
- Building Services
- Customer Services Agency
- Environmental Health
- Parking Services

The overall responsibility for operational direction and management of the Parking Services is vested in the Customer and Regulatory Services Manager

The day to day responsibility of the Parking Services activity lies with the Parking Services Team Leader.

Customer and Regulatory Services Manager:

- [REDACTED]

Parking Services Team Leader:

- [REDACTED]

Parking Administration Officer:

- [REDACTED]

Senior Parking Officer:

- [REDACTED]

Parking Officers:

- [REDACTED]

The Parking Services activity is responsible for Parking Enforcement throughout Dunedin City and the administration and enforcement of the 'Commercial use of Footpaths' Policy, Abandoned Vehicles, Authorised Vehicles, Mobility Parking and Residential Parking Schemes.

Specific aims of this Activity are to ensure:

- All vehicles are parked safely, correctly and in accordance with the law.
- All roads are kept clear to enable the free flow of traffic.
- On – street parking is used equitably.
- Promotion of desired parking behaviour.
- Compliance of the 'Commercial use of footpaths' policy, to ensure that street furniture and billboards do not impact on a pedestrian's right to use the footpaths.



# Code of Conduct

## Integrity

A Parking Officer will be above reproach; dishonesty of a single officer may impair the public's confidence of the entire Parking Services Team.

Parking Officers should be mindful of their responsibility to the whole community, and deal with individuals in a manner that will instil respect for its laws, inspire confidence and trust and give service where they can, while requiring compliance of the laws.

## Officer / Offender Relations

When speaking with offenders, appearances are important, there is nothing more winning than a friendly smile and most of the trivial matters and acts of thoughtlessness deserving attention can best be handled in this way.

When the matter is of a serious nature, it is essential that the officer appear formal and strictly impartial.

All conversation should be conducted in a quiet and constructive manner.

Know what you are going to say before you approach the driver.

Ensure that your vehicle is not left parked where it may cause an obstruction while you are speaking to the driver.

Greet the driver courteously, but in a business manner, say good day, then make a direct and positive statement.

Your attitude should be serious, yet friendly, avoiding the impression of talking down to the driver.

Avoid openings such as 'Don't you know?' or 'What do you think you're doing?' these cannot be answered intelligently and may be irritating to the offender.

Address drivers as, 'Sir or Madam', until you know their names, avoid referring to the offender as, 'Driver' Bud' or 'Mate' or other such terms.

Never keep the driver in doubt of your intentions, such tactics only increase the emotional tension and open more opportunities for disagreement.

When a person is moved to defend his actions, it becomes difficult to point out errors or proper technique, avoid openings like 'Do you know this is a P5' this is a negative approach and gives an offender the impression that he has a chance of talking you out of any enforcement action.

Sometimes an offender may ask you for further information, if asked questions on the accuracy of your check, tell him/her the check time. Under all circumstances deal strictly with the available evidence.

*Never exaggerate the facts.*

Do not take offence, or consider questions as a personal affront and bear in mind that the offender sees things differently. Very often he/she genuinely believes they are right.

Always be courteous, your tone of voice, your demeanour and even your facial expressions are important in showing real respect and courtesy. Anything which tends to hurt a

persons' ego produces a high emotional response, this is particularly true when other people are present such as husband, wife, children or friends. A person on his/her own is always easier to deal with.

Sometimes a driver will request your name. In all cases ensure that you supply your name, the fact that you should so freely supply your name frequently has the effect of taking the wind out of their sails, it also indicates that you have nothing to hide, nor are you ashamed of your name.

Do not enter the offender's vehicle to complete the parking notice, nor should you use their vehicle as a desk whilst taking down particulars.

Do not give the offender the impression that you are sorry you had to give him/her a ticket if there had been the slightest doubt you would not be issuing it.

If the driver is present hand the notice to him/her and explain what action has been taken by you and what action they may take e.g. in relation to this parking notice, if you have any explanation you wish to have considered please put it in writing and send it to the address shown on the bottom of the notice.

Thank them for their co-operation and if necessary, explain how he/she can avoid any further difficulties.

If you intend to issue a verbal warning, use the standard approach and justify the necessity for the compliance with the rules, it is not good enough to let the offender know it is against the law, inform him/her briefly why it is necessary to enforce the law.

**Do not lecture**, it does not create good public relations, using the standard approach, advise him/her straight away the reason why you do not intend to issue a notice on this occasion, by making this clear before the offender has the opportunity to speak, it is not possible for the offender to carry away the false impression of having talked themselves out of a ticket.

It is always better to create a feeling of friendliness when terminating an incident and possibly gain a strong supporter, rather than have a passive enemy.

The Parking Services Team as a whole, is often judged by the behaviour of one Officer. It is understood however, that some offenders need no incentive to become abusive; try to avoid adding fuel to the flames.

Control your feelings and endeavour to show that their performance neither impresses nor upsets you. You are called upon more than most to exercise considerable personal restraint, offensive language and loutish behaviour may at times be directed at you. You must not retaliate in a like manner as by doing so you lose control.

People respond to politeness and the officer who is sincere in his/her politeness can usually win an offender over to their view without much difficulty, as soon as a person proves him/herself ill-mannered, quarrelsome or incorrigible, the Officer's duty is to say little and certainly no more than is required to formally complete the job in hand. At times Officers are called upon to answer queries on parking problems that may seem unnecessary or even childish, but it is important to the person making it and accordingly, must be given serious attention.

Acts of courtesy, which go beyond simple politeness, will secure an open-minded reception.

Almost no-one will fail to appreciate an act of genuine politeness and there is nothing which adds more pleasure to a Parking Officer's work than rendering some such service the recipients and often their friends too, hold great respect of the helpful officer and will respond to his or her directions

Correct attitudes towards the public must be developed. If an offence is committed, bear in mind that it is an offence against the law and not you personally.

***Any Parking Officer who raises his/her voice has lost control of the situation.***

Always write detailed notes of any contact you had with the offender.

### **Gifts and Favours**

Parking Officers will not place themselves in a position in which any person can expect special consideration or in which the public can reasonably assume that special consideration is being given, they should be firm in refusing gifts, favours or gratuities, large or small, which can be interpreted by the public as capable of influencing their judgement.

### **Requests for identification**

From time to time a member of the public may request a Parking Officers name and / or number. In all cases, Officers will supply their Officer Number and Name. Warrant cards must be carried at all times while on duty and produced on request.

### **Dress Code**

Uniforms are to be worn and maintained with no alteration of design. Uniforms are to be maintained in a neat, clean and presentable condition. Dry-cleaning is provided free of charge by Council for trousers, jackets, jerseys, and cardigans and wet weather gear.

Cleaning gear is supplied for footwear.

Clothing is replaced on a fair wear and tear basis.

All equipment supplied for the purposes of ensuring your safety must be worn in the proper manner and comply with DCC Health and Safety Policy/Standards for Personal Protective Equipment.

If full-face helmets are worn, they are to be removed or the visor lifted whilst speaking to a member of the public.

If sunglasses are worn, they are to be removed while speaking to a member of the public. (tinted Prescription glasses are exempt from this requirement).

Hair is to be neatly groomed and not untidy or extreme in appearance.

### **Use of Intoxicants**

USE OF ANY PRESCRIPTION DRUG WHICH MAY IMPAIR THE ABILITY OF AN OFFICER TO PERFORM THEIR NORMAL DUTIES, MUST BE REPORTED TO THE TEAM LEADER IMMEDIATELY

### **Leave**

#### Annual

All applications for leave must be submitted to the Team Leader 14 days prior to the leave being required, to enable rosters to be made up correctly.

#### Sick

If because of illness you are unable to report for duty, you should notify the Team Leader within 30 minutes of your rostered start time. *Sick leave certificates may be required.*

## Use of Council Vehicles

Members of the Parking Services Team:

- (a) May only use a Council Vehicle with the permission of the Parking Services Team Leader or Senior Parking Officer.
- (b) Must hold a current licence for the class of vehicle he /she will be driving.
- (c) Must ensure that while on patrol, their vehicles are parked safely, correctly and in accordance with the law.
- (d) There are times when a Parking Officer may park contrary to the road rules while on patrol. This may be when no legal alternative was available, or to ensure personal safety. The provisions of The Land Transport (Road User) Rule 2004, Part 1 Clause 1.8 do provide a defence in such cases however it should be noted that the defence only applies if the act complained of was 'necessary' during the course of carrying out your duties.

The Land Transport (Road User) Rule 2004, Part 1

### 1.7 General responsibilities of road users

- (1) A road user must comply with the applicable provisions of this rule.

### 1.8 General exceptions

- (1) A person is not in breach of this rule if that person proves that:
  - (a) the act or omission complained of took place in response to a situation on a road; and
  - (b) the situation was not of the person's own making; and
  - (c) the act or omission was taken---
    - (i) to avoid the death or injury of a person; or
    - (ii) if the act or omission did not create a risk of death or injury or greater damage to any property, to avoid damage to any property.
- (2) Subclause (1) does not apply if a court is considering, in proceedings for an offence specified in the Act, whether or not a person had complied with this rule.
- (3) A person is not in breach of this rule if that person proves that the act or omission complained of:
  - (a) took place in compliance with the directions of an enforcement officer, a parking warden, a traffic signal, or a traffic sign; or
  - (c) **in the case of an act or omission done by an enforcement officer or a parking warden, was necessary in the execution of the person's duty.**

The Land Transport (Road User) rule 2004, Part 1 preliminary provisions 1.8 General Exceptions 3 (b) affords enforcement and Parking Officers a defence against breaching the Road User Rules if necessary in the execution of his or her duties.

Enforcement Officers are to obey road rules and while undertaking enforcement duties the enforcement officer is to park legally whenever it is practical taking into account the parking needs of other road users.

**The rule should not be arbitrarily used by officers and when used the officers must be able to justify their actions should a complaint arise.**

At times there are circumstances where it will be necessary to use the rule to undertake enforcement duties.

Examples include and are not limited to:

- Where there are no legal parking spaces available to carry out enforcement
- To necessitate the removal of vehicles in clearways so that traffic flow is not impeded
- Where there is a need to carry out immediate enforcement
- To ensure the personal safety of the enforcement officer

When it is intended to use the rule to perform enforcement duties any enforcement vehicle is to be parked with due care and consideration to other road users.

Employees who use Council vehicles are required to accept responsibility for the day-to-day maintenance and efficient operation of the vehicle they are using, this includes reporting any necessary repairs or faults on the form provided  
Scooters must be kept clean and tidy at all times, any faults must be reported immediately to the Team Leader or Senior Parking Officer.

Ensure that the Vehicle logbook is completed daily when you have finished with the vehicle (not applicable to scooters)

Department Codes:  
Parking Enforcement 133  
Abandoned Vehicles 115

### **Meal Breaks**

Should any Officer be delayed by duties from taking his/her rostered meal break, then such delay is to be reported to the Administration Officer, Senior Parking Officer or the Health and Safety Representative.

### **Start Times**

Parking Officers are to be in the enforcement office in full uniform and ready to start work at their rostered start time, unless authorised by the Team Leader.

### **Absences from 'On Road' duties**

Notification of all proposed absences for periods in excess of 15 minutes eg. Medical and Dental Appointments must be reported to Team Leader Parking services prior to your going off duty or in her absence, the Senior Parking Officer.

## **Assault**

Threatening by any act or gesture to apply such force to a person, if the person making the threat has, or causes the other to believe on reasonable grounds that he has the ability to effect his purpose—this means there can be an assault without the application of force. To constitute such an assault there must be:-

- an act or a gesture of a threatening nature, and the person making the threat must either have the present ability to apply such force,
- or cause the other person to believe on reasonable grounds that he has the present ability to apply such force.

What has to be proved?

- The circumstances that led to the assault
- What provocation, if any, was given
- The identity of the offender
- The force was applied directly or indirectly, or that such force was attempted, or that there was an act or gesture of a threatening nature, the offender at the time had the ability to apply it or causing the other party to believe he had such ability.
- The method and the means of the assault.

- That the assault was intentional.
- The extent of, the degree of, the assault.

***ALL INCIDENTS MUST BE REPORTED IMMEDIATELY TO THE PARKING SERVICES TEAM LEADER OR IN THEIR ABSENCE THE DEPARTMENT HEALTH AND SAFETY REPRESENTATIVE***



# Induction Checklist

*Guide to Completing an Individual  
Employee Induction*

## Induction Plan

**NAME:**

**POSITION/TITLE:**      **Parking Officer**

**DATE OF COMMENCEMENT:**

**DEPARTMENT:** Customer and Regulatory Services Group, Parking Services

**RESPONSIBLE FOR INDUCTION:** Team Leader, Training Officer.

<b>Pre-Commencement</b>	<b>Team Leader Initial as completed</b>	<b>Employee Initial as completed</b>	<b>Issues/Comments/ Training</b>
Departmental staff notified of appointment			
Ensure new employee has returned signed version of their IEA/CEA and their start-up forms to HR			
Organise work area and job tools e.g. computer, cell-phone etc by logging a heat call with IT Service Desk			
<b>The following items organised (if necessary):</b>			
• Security Tag			
• Clothing/Uniform			
• Personal Protective Equipment (if applicable)			
• Business cards (if applicable)			
• Name badge (instructions on DCC Connect)			
• Warrant Card Requested (as required)			
• Any other items as appropriate for your department			
<b>Schedule Training (as necessary)</b>			
• OA			
• ECM			
• HR21			
• Vault (for all who manage staff)			
• Finance Introduction			
• Department/Site Specific induction training (see Training Plan over page)			
Organise system access – see System Access Request form			
Ensure computer logon is ready for first day			
Ensure access to a computer to complete induction (Where necessary, you may wish to book HR Meeting Room in Civic Centre or IT Training Room)			
Prepare customised Induction Plan (see below “First Day” and “First Week”)			
Schedule regular 1-on-1 meetings with new employee			
Prepare email notification to staff for distribution on the employee’s first day			



First Day	Team Leader Initial as completed	Employee Initial as completed	Issues/Comments/ Training
Welcomed by manager or appointed supervisor and provided with a copy of the Induction Checklist.			
<b>Introduction to:</b>			
• Welcome to organisation “Hello, welcome to Parking”			
• Introduce yourself, your background and interests			
• Meet the team: introductions, team roles			
• Meet other key people: Payroll, HR, Managers			
• Building tour and introduction to staff in other teams			
• Assign a “buddy” - Trainers			
<b>Tour of the Premises</b>			
• Shown new work area eg: desk, locker, toilets etc			
• Shown key areas eg: cafeteria, vehicle pool, toilets etc			
• First Aid Facilities (first aid cabinet and room)			
• Emergency Evacuation Procedures and Exits (point out signage and walk evacuation route)			
• Photocopier/Fax			
<b>Explain onboarding process</b>			
• Induction content (on DCC Connect)			
- Policy Acknowledgement Form			
- On-the-job induction			
• Workplan			
- Key tasks			
- Handover			
- Projects			
• Weekly meetings with Team Leader			
• Submit completed Policy Acknowledgement form by end of first week			
• Return Induction Checklist and Induction Plan by end of first week			
• Meet and Greet with ELT, Site Visit, Q&A session			
Ensure new employee is able to log onto computer (if applicable).			
Show new employee DCC Connect, Department Drive(s).			
Scheduled IT to show the new employee the system on first morning (if required).			
<b>HEALTH &amp; SAFETY – HEALTH AND SAFETY REP</b>			
• Identify hazards relating to the job			
• Identify hazards to others the employee may create			
• Issue site/department specific Health & Safety Handbook (where applicable)			
• Issue PPE (as required)			
• Explain incident, accident reporting process - Vault			
• Show how to access H&S toolbox			
• Explain sign in/out system			
• Explain Approved Contractor process			
Organise Workstation Assessment by emailing [REDACTED]			
<b>HUMAN RESOURCES</b>			
• Show how to access HR Manual, Policies, Procedures			
• Explain start / finish / lunch / rest or meal break times			
• Explain process for applying for leave			
• Explain adverse weather process			
• Provide team contact list (where applicable)			
• Dress code			
• Overview of Performance Development process			
Explain pay cycles, HR21 (and when training will occur, if applicable)			
Explain Communication Systems (eg: telephone, lync, DCC Connect)			

<b>First Day</b>	<b>Team Leader Initial as completed</b>	<b>Employee Initial as completed</b>	<b>Issues/Comments/ Training</b>
Provide overview of Department and its role within Council			
Provide overview of Position and its relationship within the department			
Give specific task(s) to complete within first day			
Give specific task(s) to complete within first week			
Where applicable: Task/Equipment/Plant Competency Assessment			
Any additional site/department specific content:			
<b>Review of first day by Team leader</b> <ul style="list-style-type: none"> <li>• Induction Programme Review Meeting held at end of Day One</li> <li>• Answer any queries the employee may raise</li> </ul>			

First Week	Team Leader Initial as completed	Employee Initial as completed	Issues/Comments/ Training
Set up voice mail on landline (and cell phone where applicable) Log a heat call with IT Service Desk to request instruction sheet			
<b>On-the Job Training Continues</b>			
• Review of Departmental Policies and Practices			
• Human Resources Manual (DCC Connect) including;			
• Performance Development/Management Process			
• Development and Training			
• Benefits and Welfare			
• Standards for Staff Conduct			
• Leave			
• Staff Travel			
• Dress Code			
• OCP			
• Use of DCC Vehicles			
• Identify any immediate training needs and organise			
Any additional site/department specific content:			
<b>Health &amp; Safety</b>			
• Review of Health and Safety Manual			
• Accident and Investigation reporting process (Vault)			
• Explain Permit to Work Process (where applicable)			
• Contractor Management (if required)			
• Employer and employee health & safety responsibilities			
• Highlight process for ordering PPE (if applicable)			
• Hazard identification for work area(s)			
• Introduce new employee to Health and Safety Representative			
• Outline of employee health & safety representation & consultation processes			
• Outline of ACC Claims and DCC Rehabilitation Processes			
• Discuss other rules & issues in Health & Safety Handbook where applicable			
• Defensive Driving Course Booked (as required)			
• Equipment Use (where applicable)			
• Building Security Procedures			
Any additional site/department specific content:			
• Understanding of Strategic Framework			
• Understanding of Council Values			
• Understanding of organisation structure			
<b>Policy Acknowledgement Form has been submitted</b>			
Review of Job Description and Tasks/Job Training			
<b>Set meeting date/time for review of first week</b>			
• Introduction Programme Review Meeting held at end of Week One			
• Answer any queries the employee may raise			
• Performance Development goals set			
• Training plan set			

Training Plan	Team leader Initial	Employee Initial	Suggested/Preferred Date
OA			
ECM			
HR21			
Motochek			
Autocite			
Vault use			
Finance Introduction			
Role/Site Specific training			
- Contractor Management (where applicable)			
-			
-			
-			
-			

### Employee/ Manager Declaration

I acknowledge that I have read, or had explained to me, and understand the contents of the DCC induction and materials. I agree to abide by the policies and rules outlined during the induction process.

Employee's signature \_\_\_\_\_ Date \_\_\_\_\_

Managers signature \_\_\_\_\_ Date \_\_\_\_\_

**Please return to HR for personnel files**

**To ensure we are complying with Health and Safety initiatives, the signed Induction Checklist needs to be returned to Human Resources upon completion. This ensures the employee is aware of the policies, guidelines, hazards and safe work practices required for them to safely carry out their role.**

# Policy Acknowledgement Checklist

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Please take your time to read through the policies listed below and ensure that you have an understanding of them. If you have any questions please let Human Resources or your Manager know.

These policy documents are located on our intranet, DCC Connect, and are updated from time to time. You will be shown around DCC Connect during your induction.

Name	
Position	
Department	
<b>DCC Policy Documents</b>	<b>Date read/acknowledged</b> This will done electronically
Staff Handbook	<a href="https://connect.dcc.govt.nz/toolbox/ToolboxDocs/Staff%20Handbook.pdf">https://connect.dcc.govt.nz/toolbox/ToolboxDocs/Staff%20Handbook.pdf</a>
Standards for Staff Conduct	<a href="https://connect.dcc.govt.nz/toolbox/ToolboxDocs/Staff%20Standards%20of%20Integrity%20and%20Conduct.pdf">https://connect.dcc.govt.nz/toolbox/ToolboxDocs/Staff%20Standards%20of%20Integrity%20and%20Conduct.pdf</a> <a href="https://connect.dcc.govt.nz/toolbox/ToolboxDocs/Staff%20Handbook.pdf">https://connect.dcc.govt.nz/toolbox/ToolboxDocs/Staff%20Handbook.pdf</a>
Health and Safety Commitment Statement	<a href="https://connect.dcc.govt.nz/toolbox/ToolboxDocs/Health%20and%20Safety%20Commitment%20Statement.pdf">https://connect.dcc.govt.nz/toolbox/ToolboxDocs/Health%20and%20Safety%20Commitment%20Statement.pdf</a>
Gifts and Hospitality Policy	<a href="https://connect.dcc.govt.nz/toolbox/ToolboxDocs/Gifts%20and%20Hospitality%20Policy.pdf">https://connect.dcc.govt.nz/toolbox/ToolboxDocs/Gifts%20and%20Hospitality%20Policy.pdf</a>

Fraud Prevention Policy	<a href="https://connect.dcc.govt.nz/toolbox/ToolboxDocs/Fraud%20Prevention%20Policy%20adopted%20by%20Council.pdf">https://connect.dcc.govt.nz/toolbox/ToolboxDocs/Fraud%20Prevention%20Policy%20adopted%20by%20Council.pdf</a>
Fraud Procedures	<a href="https://connect.dcc.govt.nz/toolbox/ToolboxDocs/Fraud%20Procedures%20adopted%20by%20Council.pdf">https://connect.dcc.govt.nz/toolbox/ToolboxDocs/Fraud%20Procedures%20adopted%20by%20Council.pdf</a>
Protected Disclosure – Whistle blower Policy	<a href="https://connect.dcc.govt.nz/toolbox/ToolboxDocs/Protected%20Disclosure%20-%20Whistleblower%20Policy%20%20adopted%20by%20Council%20-%202015_05_25.pdf">https://connect.dcc.govt.nz/toolbox/ToolboxDocs/Protected%20Disclosure%20-%20Whistleblower%20Policy%20%20adopted%20by%20Council%20-%202015_05_25.pdf</a>

☐ ☐ Yes

I acknowledge that I have read and understood all of the policies listed above.

Name

Date:

#### Induction Questionnaire

Where do you report an accident, incident, near miss or hazard?	<input type="radio"/> DCC Connect <input type="radio"/> HR21 <input checked="" type="radio"/> Vault
How do you access Vault?	<input checked="" type="radio"/> Through DCC Connect <input type="radio"/> Through HR21 <input type="radio"/> Through Chris
What type of health and safety event do you <b>not</b> need to report?	<input type="radio"/> Workplace event <input type="radio"/> Non-workplace event <input type="radio"/> Workplace lost-time <input checked="" type="radio"/> Non-workplace lost-time
Can you engage a contractor who is not on our Approved Contractor list?	<input type="radio"/> Yes <input checked="" type="radio"/> No

Where can you find a list of our Approved Contractors?	<ul style="list-style-type: none"> <li><input type="radio"/> H&amp;S Toolbox</li> <li><input type="radio"/> DCC Website</li> <li><input type="radio"/> Vault</li> <li><input checked="" type="radio"/> All of the above</li> </ul>
Fraud is defined as...?	<ul style="list-style-type: none"> <li><input type="radio"/> all acts of deception, misrepresentation or omission committed with the intention of gaining an unjust or illegal financial advantage or to cause an unjust or illegal loss or disadvantage.</li> <li><input type="radio"/> all acts of deception, or omission committed with the intention of gaining an unjust or illegal financial advantage or to cause an unjust or illegal loss or disadvantage.</li> <li><input type="radio"/> all acts of deception, misrepresentation or omission committed with the intention of gaining an illegal financial advantage.</li> </ul>
Which Policy protects me if I report serious wrong doing by staff, Councillor or Contractor?	<ul style="list-style-type: none"> <li><input checked="" type="radio"/> Protected Disclosure – Whistle blower Policy</li> <li><input type="radio"/> Fraud Prevention Policy</li> <li><input type="radio"/> Fraud Procedures</li> <li><input type="radio"/> Disciplinary Procedures and Standards for Staff Conduct</li> </ul>
If you don't feel you're able to tell your manager about any suspected corrupt, unlawful or irregular activities, who can you contact?	<ul style="list-style-type: none"> <li><input type="radio"/> Group Chief Financial Officer</li> <li><input type="radio"/> Chief Executive</li> <li><input type="radio"/> Group Manager, Organisation Development and Performance</li> <li><input type="radio"/> Fraud Control Officer</li> <li><input type="radio"/> Chair of Audit and Risk Subcommittee</li> <li><input checked="" type="radio"/> All of the above</li> </ul>

# Staff Handbook

## DUNEDIN CITY COUNCIL

<https://connect.dcc.govt.nz/toolbox/ToolboxDocs/Staff%20Handbook.pdf>

### Welcome from the Chief Executive

I extend you a warm welcome on behalf of all the staff of the Dunedin City Council.

You have joined an organisation that is privileged to be the local government in the most beautiful city in the country! When you think about our abundant wildlife, our stunning harbour and city, our wonderful collection of heritage assets and our passionate, committed community – from the CBD right through to Middelmarsh and the Taieri hinterland and north to Waikouaiti – we are truly fortunate that we not only live here but we also get to play a part in making the city an even better place to be.

As a new member of staff here at the DCC, you are now part of a team with the highest expectations of public service. We hold dear such values as honesty, openness, and a commitment to doing all in our power to meet the needs of our customers.

Our elected Councillors represent our community and they make the decisions about the priorities for the services and facilities we provide. We, as staff, are committed to helping them find out what our ratepayers want and to providing it as efficiently and cost-effectively as we can.

I look forward to working with you and to seeing the contribution you make to the success of this Council and this city.

Sue Bidrose

Chief Executive Officer

### Introduction

This staff information handbook has been designed to smooth your transition into the Dunedin City Council family. It provides a brief snapshot of the DCC as an organisation and aims to answer some of the questions which may arise when a new staff member joins.

Please read this information carefully, and keep it for future reference. If you have any problem or query, discuss them with your supervisor or manager. They will refer you to the correct place to obtain the information or assistance you require.



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## Council Organisation and Structure

### About The Dunedin City Council

#### *Our Mission Statement*

"Our purpose is to maintain and enhance our community for the long term well-being of our people and environment through innovation, leadership and the provision of cost effective services."

As a local government organisation the Dunedin City Council has the statutory authority to carry out activities required by legislation and the discretionary powers to carry out activities that will enhance the standard of living for the community. In doing so, we place a strong emphasis on providing the range and type of services sought by the ratepayers in a timely, effective and friendly manner.

The Dunedin City Council is an organisation that is made up of approximately 750 staff members whose focus is largely one of policy, planning and regulation enforcement.

A number of departments are set up as business units and operate in a business-like and commercially competitive manner. Some facilities are still directly operated, e.g. Library, Toitū Otago Settlers Museum, Dunedin Public Art Gallery.

The Executive Leadership Team's role is to provide direction and focus for the organisation.

#### Dunedin City Council Companies

The Council has established a number of Council Controlled Organisations (CCOs).

One of these is called Dunedin City Holdings Limited and it owns the shares of the other CCOs. Its purpose is to monitor and support the performance of the CCOs to ensure each company provides the maximum advantage in all respects to the DCC. Dunedin City Holdings Ltd (DCHL) is owned 100% by the DCC on behalf of our ratepayers.

The dividends DCHL collects from its subsidiaries are passed on to the DCC for general use. Dividends from the fully commercial activities of these companies are a significant factor in managing rates.

The main CCOs are:

- Dunedin Venues Management Ltd
- Delta Utility Services Ltd
- City Forests Ltd
- Dunedin Airport Ltd (50%)
- Aurora Energy Ltd
- Taieri Gorge Railway Ltd (72%)
- Dunedin City Treasury Ltd

Dunedin City Treasury Ltd acts like a bank for the companies and the Dunedin City Council, ensuring that both have access to the funding they need.

#### You and the Public

Our organisation is based on serving the community. We pride ourselves on maintaining a very high standard of service and this relies on the contribution and actions of each and every one of us.

Your individual efficiency and courtesy will play a vital part in maintaining good public relations and promoting a professional image for the DCC. It is important to remember that, whatever your role to the public, you are the face of the Dunedin City Council. A friendly smile and a helpful manner will go a long way to breaking down barriers and lead to a good future working relationship with the people you encounter.

## Staff Standards and Conduct

These standards are issued by the CEO to ensure that council staff maintain appropriate standards of integrity and conduct as employees of the Dunedin City Council and to ensure the effective, open and transparent governance of the Council as required by the Local Government Act 2002.

**We Will Be Trustworthy, Dependable Customer Focused, and Professional**

As employees of the Dunedin City Council, we are committed to a Public Service Ethic in all we do. This means we must respect the authority of the council of the day, and carry out our functions with impartiality and political neutrality, while we strive to make a difference to the wellbeing of Dunedin and its citizens.

We will uphold the values of trustworthiness and dependability.

**Trustworthy – We will:**

- Act honestly and lawfully
- Provide robust and unbiased advice to Councillors, colleagues and citizens
- Carry out our duties objectively and with integrity
- Never misuse our position for personal gain

**Dependable – We will:**

- Do what we say we will
- Keep customers and colleagues fully informed
- Communicate clearly and fully, making information fully and transparently available wherever possible
- Treat information with care and use it only for proper purposes

*These values will lead us to work in a way that is customer focused and professional.*

**Customer Focused – We will:**

- Treat everyone consistently, fairly and with respect
- Be friendly and helpful in all our interactions
- Be responsive to customers' and colleagues' needs
- Work to make the Council services accessible and effective
- Respect diversity both within DCC and in our community

**Professional – We will:**

- Strive for excellence in the way we perform our roles
- Approach our jobs positively, looking for innovation and solutions wherever we can
- Continue to develop our own skills
- Work collaboratively, collegially and supportively as part of one Council family, acting together across teams to achieve the best for our City
- Be committed to the DCC and its ongoing improvement, and act only in ways which enhance its performance and reputation

## Standards for Staff Conduct

### Introduction

Council's employees should act reasonably at all times having regard to their individual conditions of appointment, the interests of the Council, and the public they serve.

Standards for staff conduct set guidelines for staff to ensure that:

- The Council runs efficiently and effectively.
- Staff are treated fairly and equitably.
- Disciplinary action does not come as a surprise to staff.

The following types of misconduct constitute a breach of the Council's Standards for Staff Conduct. These lists should not be regarded as exhaustive as any other matters of a similar nature may lead to disciplinary action being taken. Furthermore, each individual case must be considered according to its individual facts. For example, a misconduct offence may, in certain circumstances, amount to serious misconduct.

Misconduct is divided into two groups:

Misconduct: Misconduct will usually lead to the disciplinary procedures being invoked.

Serious Misconduct: Serious misconduct will usually lead to summary dismissal, that is, dismissal without further warning and with immediate effect.

Misconduct

The following are examples only (i.e. not exhaustive) of misconduct:

1. Failure to follow standards for Staff Conduct, standard procedures issued by the departmental manager or other reasonable lawful instruction or procedure.
2. Use of offensive language to another employee during working hours or to a customer, a visitor or contractor.
3. Wilful misuse of tools or equipment, or defacing Council property.
4. Reporting for work in such a condition that the employee is unable to perform the required duties in a safe and proper manner.
5. Leaving the employee's assigned place of work during working hours without authority.
6. Posting offensive notices on the internal notice boards or elsewhere in the workplace, or sending or posting offensive emails or messages.  
Failure to observe posted safety rules, or working in an unsafe manner, or failing to make proper use of safety equipment when such equipment is installed or provided.
7. Waste of time or material.
8. Without good reason, failing to notify the supervisor that the employee is unable to commence work at the specified starting time.
9. Unacceptable and/or disruptive behaviour at the place of work.
10. Failure to report any workplace accident involving personal injury.
11. Habitual late arrival on duty.
12. Sleeping when on duty in the workplace.
13. Gambling on Council premises.
14. Poor performances or negligent, careless, or incompetent performance of duties.
15. Being in a department without proper purpose outside normal working hours.

Employees will receive two clear warnings before being dismissed, one verbal warning recorded in writing and one final written warning. After a final written warning employees may be dismissed with notice, or pay in lieu of notice, in the event of repeated misconduct.

The warning procedure may be applied to misconduct of a dissimilar nature and is not restricted to the repetition of a specific form of misconduct.

Serious Misconduct

The following are examples only (i.e. not exhaustive) of employee conduct that may amount to serious misconduct:

1. Fraudulent activity, which includes any dishonest or misleading statement made by an employee and/or conduct or omission which the employee knows, or ought to know, to be dishonest, false or misleading or likely to result in loss to the Council, its employees or any other person or corporation dealing with or through the Council and which also includes, (without limitation and by way of example only):
  - a. Dishonestly taking, dealing with or concealing any thing, document, information or software which is the property of the Council, or is under the Council's control;
  - b. Taking or dealing without proper authorisation with any monies belonging to the Council or coming under the Council's control;

- c. Falsification of timesheets, or submitting false claims for expenses;
  - d. Signing any document or making any statement without proper authorisation on behalf of the Council;
  - e. Falsifying any of the Council's accounts or records;
  - f. Conspiring with any other employee to engage in fraudulent activity;
  - g. Unauthorised possession of Council property;
  - h. Using the position of employment, or knowledge gained from that position, to obtain a benefit (whether financial or otherwise) for oneself or some third party other than the Council;
  - i. Accepting without authorisation (other than remuneration by way of normal salary) any personal fee, reward, gift, gratuity, or subsidy, of any description, including any holiday which is paid for or subsidised by a customer, or attempting to extract same whether on account of any services provided in the normal course of duty or otherwise. However, unsolicited gifts of \$50 value or less may be accepted, provide that such gifts are not accepted from any customer on a regular basis.
2. Unauthorised possession of, or bringing firearms or other offensive weapons onto Council property.
  3. Without authorisation, either bringing or consuming intoxicating liquor and/ or non-prescription drugs on Council premises. It is an offence to be under the influence of alcohol while on duty. (While it is not misconduct, any employee who is impaired by properly prescribed medication must be removed from the workplace).
  4. Being absent for five consecutive days without reporting (except where there are extenuating circumstances).
  5. Behaviour affecting the safety of another employee, contractor, visitor or customer, or failure to report any unsafe equipment that may cause injury to a customer, contractor, visitor or employee.
  6. Wilful or grossly negligent damage to Council property.
  7. Assaulting any person while on duty.
  8. Possession of a customer's property without proper authorisation or possession of another employee's, or contractor's property, without the employee's, or contractors, consent.
  9. Unauthorised possession of Council property.
  10. Misuse of fire protection or safety equipment.
  11. Refusal to perform legitimate work or walking off the job except where working conditions are deemed to be unsafe.
  12. Acts threatening the quality of the Council's services and/or efficiency or acts considered detrimental to the safety of customer, visitors or contractors.
  13. The disclosure to unauthorised persons of any confidential information concerning any customers, employees, of Council papers.
  14. Failure to record and report any accident affecting customers.
  15. Harassment or bullying of another employee or customer.
  16. Using the employee's position of influence over a customer to cause the customer to enter into any relationship with the employee, or do any other thing which may result in any benefit (financial or otherwise) to the employee, or any relative or an employee, or which might cause the customer to suffer any loss or detriment.
  17. Misuse of computers, e.g. use of pirated or unauthorised software.

Serious misconduct may result in the employee being dismissed without warning.

When it is alleged that an employee may be guilty of serious misconduct they may be suspended (usually for a period of up to 7 days) pending a full investigation of the alleged incident(s). A suspension of this nature will normally be on full pay.

Conduct Detrimental to the Best Interest of the Dunedin City Council

This may be treated as either misconduct or serious misconduct depending on the nature and severity of the offence in relation to the position held by the employee.

1. Conviction in a court of law of an offence, which is punishable by imprisonment.
2. Conviction in a court of law of an offence relating to the possession, receiving and/or supply of drugs.
3. The employee's off-duty behaviour brings the Council into disrepute.

## **General Employment Conditions**

The conditions outlined below are generally applicable throughout the DCC, but the information should be read in conjunction with your employment agreement. Your letter of appointment and/or employment agreement will define your individual employment conditions.

### **DCC Policy for Equal Employment Opportunity (EEO)**

The Dunedin City Council is committed to a policy of equal opportunity in employment and to making employment related decisions based on merit. In the wider context, EEO is about appreciating and encouraging diversity in our workforce, about good management and about responding to the changing values and needs of our city.

DCC staff will not be disadvantaged because of:

- race or colour • religious or ethical beliefs, political opinion
- gender • national or ethnic origin
- marital status • employment status
- family status • disability
- age • sexual orientation

### **Employment**

Employee policies and procedures are set out in the Dunedin City Council Human Resources Manual, the Health and Safety Manual and the Dunedin City Council Delegations Manual. These documents are available from your departmental manager or from the Human Resources Department.. The Human Resources and Health and Safety Manuals are also on DCC Connect. Please take the opportunity to have a brief look at these documents within your first month of employment – this will allow you to have an overview of the contents of the documents and knowledge of where to go to when you need detailed information.

### **Induction**

The DCC will provide you with information and initial job training that will help you to perform the work, but you also have a responsibility to meet the standards of work performance required.

The induction programme will vary according to your individual needs and those of the job being undertaken. At various stages throughout the induction programme you and your supervisor will review the situation. This will allow continuous feedback on work expectations and job performance. Please take this opportunity to voice your ideas or concerns to your supervisor.

### **Vacancies**

External job vacancies are posted on the DCC website and internal vacancies are posted on DCC Connect. If you do not have computer access, please contact your manager in the first instance.

Appointments are made on the basis of best person for the job, and applicants need to demonstrate their ability to perform the job to the required standard.

#### Staff Training

Our Human Resources Advisors can help managers and staff to identify training opportunities and arrange for that training to take place. The Advisors focus on training that will benefit many departments, e.g. occupational overuse prevention.

Specialised or technical training specific to a small number of staff is usually organised by the department concerned. Staff should discuss their training needs with their manager/supervisor.

#### Problem Solving

If you are concerned about anything in relation to your employment we encourage you to raise the matter with your supervisor. Your supervisor or manager will endeavour to help you resolve the problem. You may also approach the Human Resources department if you need further help.

The DCC's policy is to encourage open and fair discussion when a work related problem arises so that it can be resolved as quickly as possible.

#### Payment of Salary

Payroll deductions can be made from your salary to the following organisations provided you furnish a signed authority:

*Medical Insurance* – Southern Cross Medical Care Society

*Dunedin City Council* – Rates, Rents, Carpark Rental or Moana Pool

*Social Clubs* – Dunedin City Council, Library

*Unions* – PSA, Service & Food Workers, SLGOU, Amalgamated Workers, or NZ Engineers

*Superannuation* – Local Government Scheme or Registered Kiwisaver Scheme.

*Banks* – One Nominated Account

Some deduction authority forms are available from payroll, the individual organisations or a hand-written memo is acceptable (including email). It is the individual's responsibility to ensure that the Payroll Officer receives authorisation to make deductions.

Please note that these deductions are a service provided by the Dunedin City Council for its employees. The DCC may decide whether or not this facility will be offered to staff.

#### Leave

A standard application form is available to apply for leave, or if you receive access to DCC's HR21 Kiosk, you can apply for leave 'on-line'.

The leave application form can be found in The HR Manual.

#### Absences

Any unforeseen absences should be notified to your supervisor as soon as possible. We recognise that absenteeism and lateness can be caused by personal problems. In these situations it is important for you to deal with the problem before it impacts on your work performance. Help and advice can be sought from either your supervisor/ manager or from the Human Resources department.

All personal appointments, where possible, should be made outside normal working hours. However, reasonable time may be given to attend professional appointments (e.g. medical or dental) that cannot be made during lunch breaks or outside normal working hours, provided the arrangements are authorised by your manager.



### Accident Compensation

Employees are eligible for Accident Compensation if incapacitated by injuries received at any time as per the Accident Compensation and Rehabilitation Act.

The Dunedin City Council has an Employer Reimbursement Agreement with ACC and as such can pay Weekly Compensation (80%) on behalf of ACC for both work and non-work accidents through payroll. This ensures continuity of your salary payments through not having any delays and uninterrupted deductions, e.g. union fees, medical insurance, superannuation.

While you may choose to file your claim directly with the ACC, this may cause delays and also may result in you not being topped up the 20% shortfall in your payment from your sick leave.

### Work Accident

If you suffer a work-related accident, you are required to inform your supervisor without delay, and an 'Accident/Incident Report' must be completed. If you require time off work you will need a medical certificate for the period of incapacity. Medical certificates should continue to be furnished throughout any period taken off as a result of injury and forwarded as soon as possible to Payroll to ensure payment. Any queries can be raised with your supervisor or the Payroll Officer.

### Work Related Accident Compensation

For the first week following the work accident all claims filed directly with payroll will be paid at 80% of the four weekly average earnings prior to the incapacity.

Then for the second week onwards until you are declared medically fit to return to work, the DCC will continue to pay the 80% rate which ACC will then reimburse the Dunedin City Council. These payments may be topped up to the 100% level of ordinary earnings by using sick leave if you have a current sick leave balance available.

### Non-Work Related Accident

The DCC has no responsibility for the first week's pay. However, you may use any allocation of paid sick leave available to you in order to be paid during that first week.

For the second week onwards, until you are declared medically fit to return to work, the DCC will pay at 80% of the four weekly average earnings prior to the incapacity which ACC will then reimburse the Dunedin City Council. These payments may be topped up to the 100% level of ordinary earnings by using sick leave if you have a current sick leave balance available.

Periods of incapacity extending beyond five weeks or a recurring injury five weeks after the initial period of incapacity, will have the 80% rate calculated on the 52 weeks earnings prior to the period of incapacity. ACC will calculate this new weekly rate.

## Health and Safety

All employees have a responsibility for participation in Health and Safety. Your manager has a copy of the Health and Safety Manual and it is also on DCC Connect.

### Dunedin City Council Health and Safety Commitment Statement

Dunedin City Council is committed to providing a healthy and safe working environment for employees and others on our sites, through effective management of health and safety and continuous improvement in health and safety performance. The Dunedin City Council undertakes to comply with all relevant health and safety legislation, regulations, codes of practice and recognised standards. The DCC will involve and consult with employees in matters relating to health and safety.

The DCC will:

- Provide and maintain a safe working environment

- Provide and maintain facilities
- Ensure that plant is arranged, designed, made and maintained so that it is safe for use
- Ensure employees are not exposed to hazards
- Develop procedures for dealing with emergencies
- Ensure employees are well trained and competent in their duties

Employees also have health and safety responsibilities, which are to:

Use safe work methods and take all practicable steps to ensure personal health and safety, and the safety of other employees and the public

Comply with departmental and DCC health and safety policies and procedures and actively participate in health and safety

The DCC Health and Safety Committee, comprising of elected representatives across the organisation, will address DCC wide issues. The role of a Health and Safety representative is to champion Health and Safety in the work area that they represent and to help the organisation achieve a safe workplace for all employees. The work of the committee is overseen by the Executive Leadership Team.

All health and safety information will be accurately reported and recorded and an assessment of this will be included in Performance Reviews.

The Dunedin City Council Health and Safety Policy will be reviewed and updated every two years.

#### Reporting Accidents and Incidents

If you are injured at work, no matter how slightly, please get first aid immediately and then report it to your supervisor. Please ensure that you are aware of the location of your work area's first aid cabinet and first aid room.

All incidents, accidents or near misses at work MUST be reported as soon as practicable to ensure that they can be managed to prevent further harm. The DCC has an online incident and hazard management database and all accidents or incidents and near misses can be reported online via DCC Connect into Vault. Some non-work accidents should also be reported, this includes any accidents where it may affect your ability to perform your normal duties or if you require time off work.

#### Wellness Programme

A range of health monitoring initiatives such as hearing checks, seven point health checks and health monitoring are offered throughout the organisation. The DCC also offers annual influenza vaccination and runs other health initiatives from time to time.

#### Occupational Counselling Programme

We have in place an arrangement where staff can go for counselling on a confidential basis if they are having problems which are affecting their work. Please see 'Staff Information' in the Human Resources department in DCC Connect.

#### Fire and Emergency Evacuations

It is of particular importance that each employee is aware of the evacuation procedures for their own area. There are notices strategically placed in each area of the DCC. These notices define the specific requirements for the evacuation of your area and as part of the induction process you will be given further instruction. In the meantime you should be aware that when an alarm is raised, all staff must immediately leave the building through the nearest exit. Do not use the lifts during an emergency. If you are likely to encounter any difficulty in using the staircase you should ensure that prior arrangements have been made for someone to take responsibility for assisting you out of the building.

A number of staff are designated as Fire Wardens. Their responsibility is to make sure that their specific area is clear of all people. However, it is each staff member's responsibility to switch off any electrical equipment in their own area before leaving.

## Dunedin City Council Harassment and Bullying Statement

- Harassment is illegal.
- Harassment or bullying will not be condoned or tolerated by the DCC.
- Sexually suggestive visual material must not be displayed in any workplace.

Any complaints of harassment or bullying will be handled in accordance with DCC procedures for dealing with such complaints.

### Smokefree Workplace

The DCC abides by the provisions in the Smoke-free Environments Act 2003. The DCC aims to protect people from tobacco smoke in the workplace by providing a smoke-free indoor working environment for all employees and the general public.

All DCC vehicles are smoke free.

## General Information

### Personal Files

Personal staff files are maintained and held by the Human Resources department. These files and their contents are treated as confidential information and are kept secure at all times. Employees have access to their individual files. Arrangements can be made by contacting the Human Resources staff.

It is essential that we maintain accurate and up-to-date personnel records. We ask that you notify the Human Resources department or Payroll promptly of any changes in your personal circumstances e.g. address, telephone number, emergency contact person, copies of qualifications.

### Security and Confidentiality

As a staff member you may have access to confidential and sensitive information. This requires you to maintain total discretion and confidentiality at all times. No staff member is permitted to discuss DCC business with the media without authorisation.

### Telephone

Employees are discouraged from using work time for unnecessary personal telephone calls. This is particularly important if we are to ensure that the lines are kept clear for business use. Any queries regarding the telephone system should be discussed with the BIS Service Desk.

### Use of Email and Internet

Email and Internet systems are business communication tools and there are uses that are not appropriate such as:

- . Sending or storing messages, or downloading objectionable or copyrighted information or files, which are in breach of the regulations, laws or normal codes of conduct within or between the organisations or countries involved;
- . Distributing harassing, vexatious, flippant mail, e.g. chain letters, jokes, executable files;
- . Personal use which impacts on the employee's productivity, usage costs, DCC's system performance or which results in an external party not accepting DCC-originating emails;
- . Sending messages on behalf of another person by using their ID and password without their permission.

The DCC will take disciplinary action where inappropriate use has been identified. You should make yourself familiar with the full ICT Policy which is on DCC Connect.

### Office Automation System (OA)

The Office Automation System is the main entry point into the DCC's computer-based information systems. The standard programmes available to most users include Microsoft Word, Microsoft Excel, e-mail and scheduling.

*Other programmes may be available depending on your department.*

The computer network is a secure system containing confidential information and you should not reveal your password to anyone else, nor write it down anywhere. Any breach of this will result in BIS revoking your access due to a security breach. You are also not to install software onto either the file server or a workstation without the consent of BIS. Should you require help on any aspect of using the Office Automation system or any of the DCC's information systems, please do not hesitate to contact the BIS Servicedesk.

#### *DCC use of social media platforms*

The Dunedin City Council recognises the value of using social media tools to build more effective relationships with Dunedin residents, communities and other stakeholders, through improved communication. Staff should not use any social media tool on behalf of any area of Dunedin City Council business without the appropriate authorisation.

- . Employees are to ensure they do not imply in any way that they are authorised to speak on the DCC's behalf.

- . Refer only to information available publicly such as that on the DCC website ([www.dunedin.govt.nz](http://www.dunedin.govt.nz)), or in the DCC's strategies, Council agenda papers and reports, and Annual Reports.

- . Be mindful during social media engagements of the importance of not damaging the DCC's reputation, commercial interests and/or bringing the DCC into disrepute.

The full social media policy can be found on DCC Connect.

#### **Car Parks**

The DCC has a number of private car parks available for rent. There may be a waiting list – but enquiries can be directed to Citifleet. Bicycles may be stored in the Civic Centre/ Dunedin Public Library basement car park, free of charge, provided prior consent is given by a Citifleet Team Leader.

#### **Council Vehicles**

Vehicles based at the Civic Centre are classified as pool vehicles and are available for staff use on DCC business. The car pool, Citifleet, is housed in the basement of the Civic Centre/Dunedin Public Library.

Staff using any DCC vehicle must have a valid driving licence for the class of vehicle and drive with care and respect for both the law and other motorists. Vehicle users are required to accurately record all travel in the log books supplied.

Fuel should be charged to the fuel card which is kept in the vehicle and the vehicle log books need to be maintained by each driver. No DCC vehicle may be driven by any unauthorised driver. Users who take a vehicle home are expected to limit the use to DCC business only unless your employment agreement specifies otherwise.

Drivers of DCC vehicles are required to adhere to parking restrictions. Any parking tickets issued when you are undertaking DCC business will be the driver's responsibility and must be paid.

If you are involved in an accident of any nature that involves a DCC vehicle, please advise the Team Leader, Citifleet immediately. An accident report will be required. Please note if an accident occurs when the vehicle is not being used in accordance with DCC policy, or is being driven by an unauthorised or unlicensed driver, the employee that vehicle is assigned to will be held responsible for the cost of repairs and any other liabilities.

No staff member may use a DCC vehicle for private use without prior written authorisation. Otherwise, vehicles must not be used to transport family members or other non-staff passengers unless a clear issue of personal safety arises.

### Health Insurance Schemes

Southern Cross Health Insurance membership deductions can be made directly from your pay. The DCC has a discounted scheme with Southern Cross Healthcare. However, this scheme is not subsidised by the DCC. Details about the scheme are available from the Human Resources department.

### Superannuation

Employees are eligible to join one of the DCC subsidised superannuation schemes as long as they have completed six months continuous employment with the DCC and are either a permanent employee or have a fixed term appointment of at least two years. Details about the schemes are available from the Human Resources Department.

### Performance Management

This process is designed to promote the development and improvement of your performance through regular one-to-one discussion, feedback and problem-solving coaching sessions with your supervisor. Included in this is acknowledgement of good performance, strategies for ongoing development and identification of further training needs.

### Shower Facilities

Staff may use the shower facilities located on the fourth floor of the Civic Centre and for library staff, there are also shower facilities in the Central Library. This is particularly useful for staff who take part in sporting activities during lunch breaks. Any staff members taking advantage of these facilities need to provide their own soap and towels.

### Social Clubs

DCC staff operate several social clubs. Membership is open to employees and usually requires a small subscription fee to be deducted from each pay.

There are social clubs operating within various areas of the DCC eg the Library Social Club and the Civic Centre Social Club. The Civic Centre Social Club holds a variety of social and recreational activities each year. These events range from dances and Christmas parties to quiz nights and sports tournaments. In addition, the CCSC operates the Club's licenced bar on the 4th floor of the Civic Centre every Friday evening after close of business.

The organising committee is elected from the membership and enquiries should be directed towards any committee member.

### Staff Purchasing

The Dunedin City Council operates a staff purchasing scheme that allows staff members to take advantage of discounts offered by local suppliers. Details of the scheme are available from the Expenditure Manager.

### Recycling

There is a recycling programme in the Civic Centre which aims to encourage staff to be more aware of waste minimisation. There are recycling collection bins for white paper on each floor near your photocopier. White paper is any paper which is white originally, such as photocopy paper, computer printout or white envelopes without windows. No shiny white paper can be accepted. These bins are emptied fortnightly.

Cardboard is collected for recycling from the loading bay in the basement each Thursday. Please ensure you flatten your boxes and remove any rubbish from them before placing them at the loading bay.

Aluminium cans are also collected. There are collection containers in the staff cafeteria on the fourth floor of the Civic Centre and beside the drink machine in the basement.

Other simple ways of helping to reduce waste include:

- double side your photocopying

- using scrap paper for draft letters, reports, etc
- using old envelopes within the DCC
- using your own cup for tea/coffee/water etc.

## **Dunedin City Council Staff and Civil Defence**

Civil Defence is a mandatory statutory responsibility of all territorial authorities, each of which must prepare a plan to deal with matters of civil defence in its district. Dunedin City Civil Defence is responsible for planning and ensuring the effective co-ordination of appropriate emergency and community services in the event of a civil defence emergency.

The Civil Defence Emergency Management Act 2002 also requires the Dunedin City Council to be capable of fulfilling its essential functions during and after an emergency, so all DCC staff may be needed during and following an emergency.

This applies to all levels of DCC personnel – the Chief Executive is appointed the Civil Defence Controller and many other staff hold Civil Defence positions.

Some DCC staff, as part of their employment, will be assigned to civil defence headquarters duties and will be given appropriate training during normal working hours. Occasionally after-hours training or exercises are held, with attendance being voluntary.

Staff not involved in civil defence duties should check with their supervisor whether they are likely to be required to report to work during an emergency. Examples of people who will be required to work during an emergency are telephonists and those looking after engineering records etc.

All staff should make sure their homes and families are prepared for an emergency and that their families can cope without them if an emergency happens while they are at work or if they have to report for work. Phone Civil Defence for an Emergency Planning Guide to help with this or to find out more about our city's emergency planning.

### **Dunedin City Council Staff and Elections**

It is the DCC responsibility to maintain an Electoral Roll for certain categories of ratepayers.

The DCC is also required to appoint a Returning Officer to conduct local elections for the Mayoralty, Council and Community Boards. Elections are held every three years. Through the Returning Officer, the DCC provides administrative support for these elections. When this is required the Returning Officer may call upon volunteers from DCC staff to count votes on each Election Day and the Official Count on subsequent days.

### **Library Council Information Services**

The Dunedin Public Library provides an information service for Councillors and DCC employees. This enables staff to have access to all library resources as well as international database systems.

**Welcome to Dunedin City Council, we look forward to working with you.**

### **3.4 Communications and Operations Management Policy**

This Policy defines the security practices for the delivery of ICT services and access to communication services including the Internet and email.

3.4.1 Changes to ICT systems and services are to follow the ICT Change Management processes defined within the Communications and Operations Management Standard.

3.4.2 Individual BIS staff, who are authorised by Human Resources, are permitted to search, and report on ICT activity for the purposes of a specific security audit or investigation.

The following use and security policies apply for landline telephones and hand held devices (this includes mobile phones and PDA devices)

#### **3.4.3 Landline Telephones and Hand Held Devices Policy**

- i. Landline telephones, including the ability to make toll calls, are provided to enable the day-to-day operation of DCC business.
- ii. Use of landline telephones and hand held devices is permitted to assist in communication required for Council business by:
  - a) Contractors, when required eg located on Council premises while working on projects;
  - b) Companies, such as Dunedin City Holdings. (Note that associated costs including an administrative fee for services will be charged back to the company)
  - c) Individual staff members, within the context of their assigned responsibilities.
- iii. Personal use of Council landline telephones is only permitted for local calls. Cell phone, national or international calls are not permitted. Note that personal calls are a disruption to Council work and should, where possible, be kept to work breaks.
- iv. The use of a hand held device (eg mobile or PDA devices) carries an associated cost, which will be recovered, in full, from the relevant activity. Where a mobile device has an associated plan with a contract period and that device is returned or the plan terminated before the contract expires, the relevant department will be charged any penalty fees imposed by the provider.
- v. Hand held devices costing over \$500 will be insured by the DCC and the cost passed on to the relevant activity through the monthly mobile telephone bill.
- vi. Only authorised hand held devices (and communications made from them) that have been supplied or approved by BIS can be charged to the DCC.
- vii. Managers are responsible for monitoring phone usage. This information will be provided by BIS Service Desk in the form of an exception report on a monthly basis or as required.

The following security policies apply for Internet communications:

#### **3.4.4 Internet Communications Policy**

- i. Internet access settings, on DCC computers, must not be modified by adding additional browsers or modifying the configuration settings used to connect to the Internet unless completed by authorised employees.
- ii. Employees can use Internet web sites that comply with the Acceptable Use Policy defined in section 4.0. This includes, but is not limited to, browsing web sites to conduct research, develop professional skills, broaden knowledge and share information within the context of an individual's assigned responsibilities.
- iii. Employees cannot, unless approved by their line manager, upload content from DCC computers to the Internet, access instant messenger services, online radio services, Internet telephone services, social networking sites, peer to peer networks as defined within the Unacceptable Use Policy at section 4.2.
- iv. DCC allows limited personal use of the Internet so long as it does not interfere with staff productivity, consume sustained high volume traffic or hinder others in their use of the Internet.
- v. Employees must not transmit sensitive Council information or information that is classified as confidential through the Internet unless the information is encrypted to reduce the risk of data being compromised. The BIS Service Desk can advise of secure methods that can be used to transmit information across the Internet.
- vi. BIS staff, authorised by Human Resources, are permitted to monitor and report on Internet activity including excessive use of the Internet and acceptable use compliance. Reviews on Internet activity will be at the request of the line manager in consultation with Human Resources.
- vii. The DCC has the right to block Internet sites that do not comply with the Acceptable Use Policy in section 4.0.

The following security policies apply for email communications:

#### **3.4.5 Email Communications Policy**

Email messages are the property of the Council as defined within the Information Management Policy and Standard.

- i. The permanent re-directing of DCC emails to a private email account (for example, Yahoo, Hotmail or Gmail), rather than using DCC email services is unacceptable practice. Emails are to be stored within the approved information repositories as defined within Information Management Standard. Using private email accounts to store DCC email increases the risk of information being disclosed or unavailable.
- ii. Email access will be terminated when the employee or third party terminates their association with the DCC.
- iii. Email signature blocks must follow the agreed standard as defined within the Communications and Operations Management standard.
- iv. Email is not be used for unsolicited mass mailings, political campaigning, dissemination of chain letters, and use by non-employees sending chain emails, malicious data (viruses), solicitation emails or any offensive material.



- v. Email accounts are provided for each DCC employee's sole use. It is not appropriate to send from, reply to, or modify another employee's email messages using their account directly. When sending on behalf of another user, or managing another user's email account is required, an email 'delegation' function should be used.
- vi. Emails must not be sent using a false identity or sent anonymously.
- vii. Confidential or sensitive email messages are not to be sent outside of the DCC without authority of the originator or owner of the information contained within the email. Permission is required, from the originator of the message, to forward attachments that contain sensitive or confidential material.



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# **Land Transport Act 1998**



# Land Transport Act 1998

<http://www.legislation.govt.nz/act/public/1998/0110/latest/DLM433613.html>

Interpretations:

S34 (1)(b) Operating a motor vehicle without WOF of COF:

S128E Powers of Parking Wardens:

S139 Issue of Infringement Notice:

S40 Contravention of Ordinary Rules:

S41 Contravention of Emergency Rules:

S133A Owner Liability for Stationary Vehicles:

## Interpretation

(1)

In this Act, unless the context otherwise requires,—

**accompany**, in relation to the accompanying of an enforcement officer to a place, includes remaining with an enforcement officer at a place whether or not a journey is involved

**Agency** means the New Zealand Transport Agency established under [section 93](#) of the Land Transport Management Act 2003

**alcohol interlock device** means a device that

— (a) is a part of the starting system of a motor vehicle; and

(b) uses breathalyser technology to determine whether the starting system should start the motor vehicle; and

(c) is, for the purposes of [section 65A](#), approved by the Minister of Transport (after consulting the Science Minister) by notice in the *Gazette*

**alcohol interlock licence** means a driver licence issued to a person who has been authorised to obtain an alcohol interlock licence by an order of a court made under [section 65A\(2\)](#)

**alternative fuel system** means a fuel storage and conducting system that is used to provide liquid petroleum gas, compressed natural gas, or any other pressurised liquid or gaseous fuel (other than petrol or diesel) for the purpose of propulsion of a vehicle

**ambulance** means a motor vehicle designed and used principally for the carriage of sick or injured persons

**apparently younger than 20** has the same meaning as it has in [section 71](#)

**approved analyst** means—

(a) a person who is designated by the Science Minister, by notice in the *Gazette*, as the analyst in charge of an approved laboratory; or

(b) a person who works in an approved laboratory and who is authorised, by the analyst in charge of that laboratory, to act as an approved analyst, either generally or in a particular case

**approved health authority** means an institution approved by the Minister, with the agreement of the Minister of Health, for the purposes of [section 209](#)

**approved laboratory** means a laboratory approved by the Science Minister, by notice in the *Gazette*, for the purposes of analysing blood specimens taken for the purposes of this Act

**approved provider**, in relation to alcohol interlock devices, means a person approved by the Agency to install, maintain, or remove alcohol interlock devices

**approved taxi organisation** means a taxi organisation approved or deemed to be approved by the Agency under this Act, the regulations, or the rules

**approved vehicle surveillance equipment** means vehicle surveillance equipment of a kind approved by the Minister of Police, by notice in the *Gazette*

**assessment centre** means an establishment for the time being approved as an assessment centre for the purposes of this Act by the chief executive of the Ministry of Health

**axle** means 1 or more shafts, spindles, or bearings in the same vertical transverse plane by means of which, in conjunction with wheels mounted on those shafts, spindles, or bearings, a portion of the weight of the vehicle is transmitted to the roadway; and, except as the provisions of this Act or of the rules otherwise provide, the following provisions apply for the purposes of this Act and the regulations and rules:

(a) if 2 or more wheels of a motor vehicle are substantially in the same line transversely and some or all of them have separate axles, the axles of all those wheels are to be treated as 1 axle:

(b) if the longitudinal centre line of an axle of a motor vehicle is less than 1 metre distant from the longitudinal centre line of another axle, the 2 axles are to be treated as 1 axle (**a dual axle**):

(c) for the purposes of measuring the distance of a dual axle from any other axle, the measurement must be taken from the longitudinal centre line of that one of the 2 axles



comprising the dual axle which is nearer to the axle from which the distance is to be measured

**blood specimen** means a specimen of venous blood taken in accordance with normal medical procedures

**blood specimen collecting instrument** means—

(a) a needle and syringe; or

(b) an instrument of a kind designed for the taking of blood specimens approved by the Minister of Police (after consulting the Science Minister and the Minister of Transport) by notice in the *Gazette*

**blood specimen collecting kit** means a package having endorsed on it or affixed to it or included in it a label indicating that it is a blood specimen collecting kit and that it has been supplied by or on behalf of a laboratory for the time being approved by the Science Minister, by notice in the *Gazette*, for the purpose of supplying or causing to be supplied blood specimen collecting kits

**blood specimen collecting procedure** means the taking of a blood specimen by a blood specimen collecting instrument in a manner prescribed by the Minister of Police by notice in the *Gazette*

**blood test** means the analysis of a blood specimen

**blood test fee** means the fee for the analysis of a blood specimen prescribed by the Minister of Police, by notice in the *Gazette*, under [section 67](#)

**breath screening device** means a device of a kind approved for the purpose of breath screening tests by the Minister of Police, by notice in the *Gazette*

**breath screening test** means a test carried out by means of a breath screening device in a manner prescribed in respect of that device by the Minister of Police, by notice in the *Gazette*

**carriage** includes haulage

**certificate of compliance** means a certificate given under [section 75A](#) by a person authorised by the Science Minister

**certificate of loading** means a certificate of loading issued under the regulations or the rules

**Commissioner** means the Commissioner of Police

**compulsory impairment test** means a test, carried out in a manner prescribed by the Minister of Police by notice in the *Gazette*, to determine whether a person's capacity to drive is impaired

**control**, in relation to a transport service or a proposed or approved taxi organisation, means direct or indirect control of the management of the whole or part of the transport service or taxi organisation by a shareholding or the holding of any position (however described) in the management of the whole or part of the transport service or taxi organisation that gives the person a significant influence on the operation of the whole or part of the service or organisation (whether or not other persons are also involved)

**court** means a District Court

**cruising** means driving repeatedly in the same direction over the same section of a road in a motor vehicle in a manner that—

(a) draws attention to the power or sound of the engine of the motor vehicle being driven; or

(b) creates a convoy that—

(i) is formed otherwise than in trade; and

(ii) impedes traffic flow

**cumulative work day** means a period—

(a) during which work occurs; and

(b) that—

(i) does not exceed 24 hours; and

(ii) begins after a continuous period of rest time of at least 10 hours

**cumulative work period** means a set of cumulative work days between continuous periods of rest time of at least 24 hours

**dangerous goods** means goods declared by rules made under this Act to be dangerous goods

**dangerous goods enforcement officer** means a person appointed by warrant under [section 208](#)

**design**, in relation to a motor vehicle, refers to the construction of the motor vehicle, and not its use or intended use; and **designed** has a corresponding meaning

**doctor's surgery** means a medical practitioner's surgery or any other place where a medical examination or medical care or treatment is carried out or given

**drink** means alcoholic drink

**driver**, in relation to a vehicle, includes the rider of the motorcycle or moped or bicycle; and **drive** has a corresponding meaning

**driver licence** means a licence to drive that is issued or has effect under this Act; and includes an endorsement on a driver licence

**driver licence stop order** means an order imposed under [section 91E](#)

**enforcement authority**, in relation to an infringement offence, means (except in relation to [Part 17](#))—

(a) the New Zealand Police, in any case:

(b) the Agency, in the case of an infringement offence for which an infringement notice is issued by an employee of the Agency or on behalf of the Agency:

(ba) an airport authority:

(c)

[Repealed]

(d) a local authority, in the case of an infringement offence for which an infringement notice is issued by an employee of the local authority or on behalf of the local authority:

(e) a public road controlling authority that is an enforcement authority for the purposes of an Order in Council made under section 46 of the Land Transport Management Act 2003, in the case of an infringement offence that is a toll offence

**enforcement officer** means—

(a) a constable:

(b) a Police employee who is not a constable who is authorised for the purpose by the Commissioner:

(c) a person who is appointed to that office by warrant under section 208 or who holds that office by virtue of this Act

**evidence of vehicle inspection**, in relation to a vehicle, means any certificate, label, or document issued under this Act as evidence of the completion of the periodic vehicle inspection requirements in respect of that vehicle

**evidential breath test** means a test carried out by means of an evidential breath-testing device in a manner prescribed in respect of that device by the Minister of Police, by notice in the *Gazette*

**evidential breath-testing device** means a device of a kind approved for the purpose of evidential breath tests by the Minister of Police, by notice in the *Gazette*

**financial year**, in relation to the Agency, means the period of 12 months commencing on 1 July and ending with the close of 30 June

**fire brigade** includes—

(a) a volunteer fire brigade, a defence fire brigade, and an industrial fire brigade (as those terms are defined in [section 2](#) of the Fire Service Act 1975); and

(b) an airport fire brigade; and

(c) the employed firefighters or other members of any fire brigade referred to in this definition

**former enactment** means a provision of the [Transport Act 1962](#), or of [Part 2](#) of the Transport (Vehicle and Driver Registration and Licensing) Act 1986, or of the Land Transport Act 1993, repealed by this Act

**goods** means all kinds of movable personal property; and includes articles sent by post, and animals

**goods service**—

(a) means the carriage of goods on any road, whether or not for hire or reward, by means of a motor vehicle whose gross laden weight is 6 000 kg or more; and

(b) includes the letting on hire of a motor vehicle whose gross laden weight is 6 000 kg or more by a person who drives the vehicle or provides a driver for the vehicle, where the motor vehicle is used for the carriage of goods; but

(c) does not include—

(i) a vehicle recovery service; or

(ii) a service involving the carriage of goods for personal domestic purposes where the service is not operated for more than a total of 7 days in any 12-month period; or

(iii) any carriage of goods by a passenger service vehicle where the carriage is part of a contract for the carriage of passengers or where the carriage is of such small amounts of goods, or occurs so infrequently, that it does not form a significant part of the overall operations of the vehicle; or

(iv) the use of trucks by licensed motor vehicle dealers to carry goods for demonstration and sale purposes; or

(v) the use of vintage vehicles to carry goods for display purposes; or

(vi) the use of trailers towed by small passenger service vehicles to carry passengers' luggage; or

(vii) any service specified as an exempt goods service in the regulations or the rules

**goods service licence** means a licence granted or deemed to be granted under subpart 3 of [Part 4A](#) that authorises its holder to carry on a goods service

**goods service vehicle**—

(a) means a motor vehicle used or capable of being used in a goods service for the carriage of goods; but

(b) does not include a vehicle specified as an exempt goods service vehicle in the regulations or the rules

**gross laden weight**, in relation to a motor vehicle, means—

(a) the greatest of the following weights:

(i) a weight specified (subsequent to the latest modification specified, if any) as the gross laden weight of the vehicle by the manufacturer of the vehicle:

(ii) a weight specified as the gross laden weight of the vehicle, or of a vehicle of that kind, by or under the regulations or the rules:

(iii) the weight of the vehicle, together with the load that the vehicle is for the time being carrying, including equipment and accessories:

(b) if evidence is adduced in respect of any but not all of the 3 weights referred to in paragraph (a), the greater of the weights, or (as the case may be) the only weight, in respect of which evidence is adduced:

(c) if evidence is not adduced in respect of any of the weights referred to in paragraph (a), the total of the unladen weight of the vehicle and the weight of the maximum load that the vehicle may safely carry

**gross weight**, in relation to a vehicle or combination of vehicles, means the weight of the vehicle or of the vehicles comprising the combination, together with the load that the vehicle or (as the case may be) the vehicles are for the time being carrying, including equipment and accessories; and, for the purposes of this Act and of the regulations and the rules, and without limiting the methods by which the gross weight of a vehicle may be determined, the gross weight of a vehicle may be determined by adding the weight on its axles or groups of axles

**health practitioner** has the same meaning as in section 5 of the Health Practitioners Competence Assurance Act 2003

**heavy motor vehicle** means a motor vehicle (other than a motorcar that is not used, kept, or available for the carriage of passengers for hire or reward) having a gross laden weight exceeding 3 500 kg

**heavy traffic** means—

(a) the use of any heavy motor vehicle; or

(b) any other traffic declared to be heavy traffic by the Agency by notice in the *Gazette*

**hospital** means a hospital care institution within the meaning of section 58(4) of the Health and Disability Services (Safety) Act 2001

**image**, in relation to approved vehicle surveillance equipment, includes a photograph, an electronic form of information storage, and the display and transmission of any pictorial or digital information

**infringement offence** means—

(a) a moving vehicle offence:

(ab) a stationary vehicle offence:

(b) an overloading offence:

(ba) an offence against this Act concerning logbooks that is committed by a transport service driver:

(c) an infringement offence specified in regulations made under this Act:

(ca) a toll offence:

(d) any other offence against this Act or any other enactment that is specified as an infringement offence against this Act (other than an offence that carries a penalty of imprisonment or mandatory disqualification from holding or obtaining a driver licence)

**land transport** means transport on land by any means and the infrastructure facilitating such transport; and includes rail, surface-effect vehicles, and harbour ferries

**land transport documents** means licences, permits, approvals, authorisations, exemptions, certificates, and similar documents issued under the [Transport Act 1962](#), the [Road User Charges Act 2012](#), the [Transport \(Vehicle and Driver Registration and Licensing\) Act 1986](#), the [Government Rounding Powers Act 1989](#), or this Act

**land transport register** includes—

(a) registers kept under this Act, the [Railways Act 2005](#), or the [Road User Charges Act 2012](#); and

(b) other information and records relating to vehicle and operator licensing kept by the Agency

**large passenger service vehicle** means any passenger service vehicle that is designed or adapted to carry more than 12 persons (including the driver)

**licensed** means,—

(a) in relation to a driver,—

- (i) licensed by or under this Act to drive vehicles of a specified class or classes; or
- (ii) licensed for a specified purpose or to carry out a specified activity, including an authority conferred by an endorsement on a driver licence:

(b) in relation to a vehicle, licensed under [Part 17](#)

**light rail vehicle** has the same meaning as in [section 4\(1\)](#) of the Railways Act 2005

**light rental service vehicle** means a rental service vehicle having a gross laden weight of not more than 3 500 kg

**load—**

(a) includes part of a load; and

(b) includes covers, ropes, ties, blocks, tackles, barrows, or other equipment or object used in the securing or containing of loads on vehicles or the loading or unloading of vehicles, whether or not any other load is on the vehicle; but

(c) does not include animal wastes discharged from animals being carried on a vehicle at the time

**local authority** means any regional council or territorial authority within the meaning of the [Local Government Act 2002](#)

**logbook** means a logbook that is in a form approved by the Agency in accordance with the rules, and includes any alternative means approved under [section 30ZG](#)

**mass**, in relation to a vehicle, means the quantity of material contained in or on that vehicle that, when subjected to acceleration due to gravity, will exert downwards on a level surface a force that can be measured as the weight of the vehicle

**medical expenses** means the expenses incurred by a medical practitioner or medical officer in taking a blood specimen

**medical laboratory technologist** means a health practitioner who is, or is deemed to be, registered with the Medical Sciences Council of New Zealand continued by [section 114\(1\)\(a\)](#) of the Health Practitioners Competence Assurance Act 2003 as a practitioner of the profession of medical laboratory science

**medical officer** means—

(a) a person acting in a hospital and who, in the normal course of the person's duties, takes blood specimens; or

(b) a nurse; or

(c) a medical laboratory technologist

**medical practitioner** means a health practitioner who is, or is deemed to be, registered with the Medical Council of New Zealand continued by [section 114\(1\)\(a\)](#) of the Health Practitioners Competence Assurance Act 2003 as a practitioner of the profession of medicine

**member** means a person appointed as a member of the Agency

**Minister** means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act or the relevant Part or provision of this Act

**Minister of Police** means, subject to any enactment, the Minister who, under authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the Police

**Ministry** means, subject to any enactment, the Ministry that is, with the approval of the Prime Minister, for the time being responsible for the administration of this Act

**mobility device** means—

(a) a vehicle that—

(i) is designed and constructed (not merely adapted) for use by persons who require mobility assistance due to a physical or neurological impairment; and

(ii) is powered solely by a motor that has a maximum power output not exceeding 1 500 W; or

(b) a vehicle that the Agency has declared under [section 168A\(1\)](#) to be a mobility device

**moped**—

(a) means a motor vehicle (other than a power-assisted pedal cycle) that has—

(i) 2 wheels; and

(ii) a maximum speed not exceeding 50 kilometres per hour; and

(iii) either—

(A) an engine cylinder capacity not exceeding 50 cc; or

(B) a power source other than a piston engine; and

(b) includes a motor vehicle running on 3 wheels if the vehicle—

(i) was registered before paragraph (a) came into force; and

(ii) falls within the definition of moped in [section 2\(1\)](#) of the Transport (Vehicle and Driver Registration and Licensing) Act 1986



**motor vehicle—**

- (a) means a vehicle drawn or propelled by mechanical power; and
- (b) includes a trailer; but
- (c) does not include—
  - (i) a vehicle running on rails; or
  - (ii) [Repealed]
  - (iii) a trailer (other than a trailer designed solely for the carriage of goods) that is designed and used exclusively as part of the armament of the New Zealand Defence Force; or
  - (iv) a trailer running on 1 wheel and designed exclusively as a speed measuring device or for testing the wear of vehicle tyres; or
  - (v) a vehicle designed for amusement purposes and used exclusively within a place of recreation, amusement, or entertainment to which the public does not have access with motor vehicles; or
  - (vi) a pedestrian-controlled machine; or
  - (vii) a vehicle that the Agency has declared under [section 168A](#) is not a motor vehicle; or
  - (viii) a mobility device

**motorcycle—**

- (a) means a motor vehicle running on 2 wheels, or not more than 3 wheels when fitted with a sidecar; and
- (b) includes a vehicle with motorcycle controls that is approved as a motorcycle by the Agency; but
- (c) does not include a moped

**moving vehicle offence** means an offence detected by approved vehicle surveillance equipment that is—

- (a) a speeding offence; or
- (b) an offence in respect of the failure to comply with the directions given by a traffic signal; or
- (c) any offence against regulations made under this Act or the [Transport \(Vehicle and Driver Registration and Licensing\) Act 1986](#) that is declared by regulations under this Act to be a moving vehicle offence for the purposes of this definition; or

(d) a toll offence

**novice driver** has the meaning specified by the rules

**nurse** means a health practitioner who is, or is deemed to be, registered with the Nursing Council of New Zealand continued by [section 114\(1\)\(a\)](#) of the Health Practitioners Competence Assurance Act 2003 as a practitioner of the profession of nursing whose scope of practice permits the performance of general nursing functions

**offence against this Act** includes an offence against or prescribed by the regulations

**operate**, in relation to a vehicle, means to drive or use the vehicle on a road, or to cause or permit the vehicle to be on a road or to be driven on a road, whether or not the person is present with the vehicle; and **operator** has a corresponding meaning

**optometrist** means a health practitioner who is, or is deemed to be, registered with the Optometrists and Dispensing Opticians Board continued by [section 114\(1\)\(a\)](#) of the Health Practitioners Competence Assurance Act 2003 as a practitioner of the profession of optometry

**organised criminal activity** means an activity that—

(a) involves 2 or more persons; and

(b) has the acquisition of income or assets by means of a continuing course of criminal conduct as one of its objects

**outputs** means the goods and services that are produced by the Agency

**overloading offence** means an offence against any enactment that is specified as an overloading offence by the regulations

**owner**, in relation to a motor vehicle, means the person lawfully entitled to possession of the vehicle, except where—

(a) the motor vehicle is subject to a bailment that is for a period not exceeding 28 days; or

(b) the motor vehicle is let on hire pursuant to the terms of a rental-service licence,—

in which case **owner** means the person who, but for the bailment or letting on hire, would be lawfully entitled to possession of the motor vehicle; and **owned** and **ownership** have corresponding meanings

**parking** means,—

(a) in relation to any portion of a road where parking is for the time being governed by the location of parking meters placed pursuant to a bylaw of a local authority, the stopping or standing of a vehicle on that portion of the road for any period exceeding 5 minutes:

(b) in relation to any other portion of a road, the stopping or standing of a vehicle on that portion of the road

**parking offence** means an offence described in paragraph (a) of the definition of stationary vehicle offence

**parking warden** means a person appointed to hold the office of parking warden under [section 128D](#)

**parking warden** means a parking warden appointed under [section 128D](#)

**participant**, in relation to the land transport system, means a person who does anything for which a land transport document is required

**passenger service—**

(a) means—

(i) the carriage of passengers on any road for hire or reward by means of a motor vehicle; and

(ii) the carriage of passengers on any road, whether or not for hire or reward, by means of a large passenger service vehicle; and

(b) includes the carriage of passengers on any road—

(i) that involves a specific charge on passengers for transport, including part payments to cover fuel and donations (which are expected as a condition of carriage); or

(ii) by a person or an organisation that is funded by another person or organisation specifically for the provision of transport; or

(iii) in which the carriage of passengers is an integral part of, or reasonably necessary to provide, another service or activity (other than a transport service) for which payment is made; or

(iv) in which the carriage of passengers is made using the vehicle provided by one of the passengers and the driver is paid for the carriage; or

(v) that involves the letting on hire of a vehicle by a person who drives the vehicle or provides a driver for the vehicle if, during the hiring, the vehicle is used for the carriage of passengers; but

(c) does not include—

(i) private ambulance services provided by organisations primarily for their employees, being ambulance services that are available to the general public in an emergency only when public ambulance services cannot provide a service; or

(ii) any service using a vehicle that is specified as an exempt passenger service vehicle in the regulations or the rules; or

(iii) any service specified as an exempt passenger service in the regulations or the rules

**passenger service licence** means a licence granted or deemed to be granted under [subpart 3](#) of Part 4A that authorises its holder to carry on a passenger service

**passenger service vehicle—**

(a) means a vehicle used or available for use in a passenger service for the carriage of passengers; but

(b) does not include—

(i) a vehicle designed or adapted to carry 12 or fewer persons (including the driver) provided by one of the passengers being carried; or

(ii) a vehicle specified as an exempt passenger service vehicle in the regulations or the rules

**passive breath-testing device** means a passive breath-testing device of a kind approved by the Minister of Police, by notice in the *Gazette*

**permanent speed limit** means a maximum speed limit set by a regulation or rule made under this Act and that is in force except when a holiday, variable, minimum, or temporary speed limit is in force

**positive**, in relation to an evidential breath test, means an evidential breath test that indicates,—

(a) in the case of a person who holds an alcohol interlock licence or a zero alcohol licence, that the breath of the person who underwent the test contains alcohol; or

(b) in the case of a person who is apparently younger than 20, that the breath of the person who underwent the test contains alcohol; or

(c) in the case of any other person, that the proportion of alcohol in the breath of the person who underwent the test exceeds 250 micrograms of alcohol per litre of breath

**premises**, in [sections 130](#) and [131](#), includes a vehicle, rail vehicle, carriage, box, or receptacle; but does not include a dwelling or Maori reservation constituted by or under the Maori Affairs Act 1953 or [Part 17](#) of Te Ture Whenua Maori Act 1993

**prescribed** means,—

(a) in relation to a matter under this Act, prescribed by this Act or by regulations, rules, or notice made under this Act:

(b) in relation to a matter prescribed under any other enactment, prescribed in accordance with that enactment

**prescription medicine** has the same meaning as in [section 3\(3\)](#) of the Medicines Act 1981

**private analyst** means a person qualified by academic or technical training in chemical or biochemical analysis; and includes a body corporate or organisation that employs such a person

**proceedings**, in relation to an infringement offence, means proceedings under the [Criminal Procedure Act 2011](#) or the [Summary Proceedings Act 1957](#); and includes the issue of an infringement notice under [section 139](#)

**qualifying bylaw** means a bylaw made by a road controlling authority under [section 22AB\(1\)\(a\)](#) of this Act, or [section 145](#) of the Local Government Act 2002 for the stated purpose of—

(a) restricting or placing conditions on the racing of motor vehicles or any associated activities:

(b) controlling or restricting cruising or any associated activities

**rail operator** has the same meaning as in [section 4\(1\)](#) of the Railways Act 2005

**rail participant** has the same meaning as in [section 4\(1\)](#) of the Railways Act 2005

**rail vehicle** has the same meaning as in [section 4\(1\)](#) of the Railways Act 2005

**regional council** means a regional council within the meaning of the [Local Government Act 2002](#)

**register of motor vehicles** means the register continued and maintained under [section 234](#)

**registered**, in relation to a vehicle, means registered under [Part 17](#)

**Registrar**, in relation to the execution of a warrant of confiscation, means any Registrar of the High Court or of a District Court, as the case may require, and includes a Deputy Registrar

**the regulations** means regulations made under this Act and the regulations referred to in [section 218](#)

**rental service** means the letting of a motor vehicle on hire for the carriage of passengers (including the driver) or of goods, or both, to a person who drives the vehicle or provides a driver for the vehicle; but does not include—

(a) the letting of a motor vehicle under a hire purchase agreement or a bailment that is for a period exceeding 6 months; or

- (b) the hiring of trailers with a gross laden weight not exceeding 3 500 kg; or
- (c) any service specified as an exempt rental service in the regulations or the rules

**rental service licence** means a licence granted or deemed to be granted under [subpart 3](#) of Part 4A that authorises its holder to carry on a rental service

**rental service vehicle** means a vehicle used or available for use in a rental service for letting on hire for the carriage of passengers or goods, or both, to a person who drives the vehicle or provides a driver for the vehicle; but does not include a vehicle specified as an exempt vehicle in this Act or the regulations or the rules

**responsible clinician** has the same meaning as it has in [section 2\(1\)](#) of the Mental Health (Compulsory Assessment and Treatment) Act 1992

**rest time** means all time that—

- (a) is not work time; and
- (b) is at least 30 minutes in duration; and
- (c) is not spent in a moving vehicle associated with work

**road** includes—

- (a) a street; and
- (b) a motorway; and
- (c) a beach; and
- (d) a place to which the public have access, whether as of right or not; and
- (e) all bridges, culverts, ferries, and fords forming part of a road or street or motorway, or a place referred to in paragraph (d); and
- (f) all sites at which vehicles may be weighed for the purposes of this Act or any other enactment

**road controlling authority**, in relation to a road,—

- (a) means the authority, body, or person having control of the road; and
- (b) includes a person acting under and within the terms of a delegation or authorisation given by the controlling authority

**the rules** means the ordinary rules and emergency rules made under this Act and the rules referred to in [section 220](#)

**Science Minister** means, subject to any enactment, the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of the [Research, Science, and Technology Act 2010](#)

**Secretary** means the chief executive of the Ministry

**service**, in [Part 4A](#), includes—

- (a) an operation carried out on 1 occasion only; and
- (b) an operation carried out solely for the benefit of the persons carrying it out

**site**, in [section 147](#), means a site where a dynamic axle weigher is used

**small passenger service vehicle** means any passenger service vehicle that is designed or adapted to carry 12 or fewer persons (including the driver)

**special vehicle lane** has the meaning given to it in clause 1.6 of the [Land Transport \(Road User\) Rule 2004](#)

**speed limit** means a speed limit set by or under this Act, the [Local Government Act 1974](#), the [Government Roading Powers Act 1989](#), or the rules

**speeding offence** means an offence which consists solely of exceeding a speed limit

**stationary vehicle offence** means—

- (a) parking in any portion of a road in breach of—
  - (i) any Act or regulation; or
  - (ii) any bylaw made under [section 22AB\(1\)\(m\) to \(o\)](#);
- (b) any offence specified as a stationary vehicle offence in regulations made under this Act

**storage provider** means a person who stores vehicles impounded under this Act

**taxi** means a motor vehicle that is—

- (a) a small passenger service vehicle; and
- (b) fitted with a sign on its roof displaying the word “taxi” and any other signs required by the regulations or the rules; and
- (c) in use or available for use for hire or reward for the carriage of passengers other than on defined routes

**taxi service** means a passenger service carried on by means of a taxi or taxis

**territorial authority** means a territorial authority within the meaning of the [Local Government Act 2002](#)

**toll** has the same meaning as in [section 5](#) of the Land Transport Management Act 2003

**toll offence** means an offence against [section 54\(1\)](#) of the Land Transport Management Act 2003

**towage fee**, in respect of a parking offence, means an amount specified as the towage fee in respect of that offence by the Secretary by notice in the *Gazette*; and, for the purposes of this definition, the Secretary may prescribe different rates of towage fees in respect of different classes of persons, vehicles, products, or any other property or item, or on the basis of different times of use, or different distances, or on any other differential basis

**traction engine** means a vehicle that—

(a) is propelled by steam power; and

(b) is not a rail vehicle within the meaning of [section 4\(1\)](#) of the Railways Act 2005; and

(c) is not designed for the carriage of goods or persons other than the driver and, if appropriate, other persons involved in its operation

**traffic control device** includes any—

(a) sign, signal, or notice; or

(b) traffic calming device; or

(c) marking or road surface treatment—

used on a road for the purpose of traffic control

**transport service**—

(a) means any goods service, passenger service, rental service, or vehicle recovery service; but

(b) does not include—

(i) licensed rail participants under the [Railways Act 2005](#); and

(ii) any service specified as an exempt transport service in the regulations or the rules

**transport service driver** means any person who is, or is from time to time, employed or engaged in driving a vehicle being used in a transport service other than a rental service, whether or not that person is licensed or required to hold a licence to drive such a vehicle



**transport service licence** means any of the following licences granted or deemed to be granted under [subpart 3](#) of Part 4A:

- (a) a goods service licence:
- (b) a passenger service licence:
- (c) a rental service licence:
- (d) a vehicle recovery service licence

**transport service operator** means a person who carries on a transport service, whether or not that person employs personnel to assist in doing so on its behalf; but does not include those personnel

**transport service vehicle** means any goods service vehicle, passenger service vehicle, rental service vehicle, or vehicle recovery service vehicle; but does not include—

- (a) a rail vehicle under the [Railways Act 2005](#); or
- (b) a vehicle running on self-laying tracks or rollers; or
- (c) a vehicle that operates solely on or in areas to which the public does not have access as of right (whether or not that vehicle is used on a road in connection with that vehicle's inspection, servicing, or repair, or for the purposes of a practical driving test required under any enactment); or
- (d) a vehicle used as a place of abode to the extent that it is not used in a rental service; or
- (e) a vehicle listed as a farm vehicle in Part 1 of the Schedule of the Transit New Zealand (Apportionment and Refund of Excise Duty) Regulations 1998 or in any provisions made in substitution for that schedule; or
- (f) a tractor (being a motor vehicle designed principally for traction at speeds not exceeding 50 km per hour); or
- (g) a forklift (being a motor vehicle designed principally for lifting and stacking goods by means of 1 or more forks, tines, platens, or clamps); or
- (h) a hearse; or
- (i) a traction engine

**unladen weight**, in relation to a vehicle, means the weight of the vehicle together with the fuel in its fuel system (if any) and the equipment and accessories on it that are necessary for its operation for the purpose for which it was designed

**unlicensed**, in relation to a driver, includes holding an expired licence

**vehicle—**

- (a) means a contrivance equipped with wheels, tracks, or revolving runners on which it moves or is moved; and
- (b) includes a hovercraft, a skateboard, in-line skates, and roller skates; but
- (c) does not include—
  - (i) a perambulator or pushchair:
  - (ii) a shopping or sporting trundler not propelled by mechanical power:
  - (iii) a wheelbarrow or hand-trolley:
  - (iv) [Repealed]
  - (v) a pedestrian-controlled lawnmower:
  - (vi) a pedestrian-controlled agricultural machine not propelled by mechanical power:
  - (vii) an article of furniture:
  - (viii) a wheelchair not propelled by mechanical power:
  - (ix) any other contrivance specified by the rules not to be a vehicle for the purposes of this definition:
  - (x) any rail vehicle

**vehicle recovery service—**

- (a) means the towing or carrying on any road of a motor vehicle, irrespective of the size or design of the towing or carrying vehicle, and whether or not the towing or carrying of the vehicle is carried out by a person intending to carry out repairs on the vehicle; but
- (b) does not include—
  - (i) the towing or carrying of any motorcycle or moped; or
  - (ii) the towing or carrying of one motor vehicle by another where—
    - (A) the towing or carrying is not carried out directly or indirectly for reward; and
    - (B) the towing or carrying vehicle is not designed or adapted for the purpose of towing or carrying motor vehicles; or
  - (iii) the towing or carrying of a vehicle by a person who owns the vehicle; or

(iv) the towing of disabled vehicles using a rope or flat tow by—

(A) a person employed by, or contracted to, a motoring association or insurance company where the towing is limited to removal of the vehicle to a place of safety; or

(B) the owner or employee of a garage or workshop who intends to carry out repairs to the vehicle; or

(v) the removal of vehicles by New Zealand Defence Force tow trucks at the request of an enforcement officer; or

(vi) routine towing services operated by New Zealand Defence Force personnel in areas where there is no suitable and available commercial towing service nearby; or

(vii) any service where the Agency has provided the transport service operator with a written notice that—

(A) must be carried in the vehicle used in the service; and

(B) specifies that the nature of the service is such that the carriage of vehicles should be treated as the carriage of goods; or

(viii) any service specified as an exempt vehicle recovery service in the regulations or the rules

**vehicle recovery service licence** means a licence granted or deemed to be granted under [subpart 3](#) of Part 4A that authorises its holder to carry on a vehicle recovery service

**vehicle recovery service vehicle—**

(a) means a vehicle used or available for use in a vehicle recovery service for towing or carrying on a road any motor vehicle; but

(b) does not include any vehicle specified as an exempt vehicle recovery service vehicle in the regulations or the rules

**weight,—**

(a) in relation to a wheel, an axle, a group of axles, or a vehicle, means the weight, or, as the case may be, the sum of the weights, recorded or displayed on a weighing device of a type approved for the purpose by the Minister of Police, by notice in the *Gazette*, and used in a manner prescribed by the Minister of Police, by notice in the *Gazette*:

(b) in relation to the load on a vehicle, means the gross weight of the vehicle less its unladen weight

**work time** includes (but is not limited to) all the time spent—

- (a) driving a vehicle to which [section 30ZB\(1\)](#) applies:
- (b) performing work-related duties, including (but not limited to)—
  - (i) loading and unloading:
  - (ii) maintenance and cleaning of vehicles (other than unpaid cleaning outside working hours):
  - (iii) administration or recording:
- (c) in any paid employment (other than paid leave or paid breaks of at least 30 minutes' duration), whether or not related to transport activities

**zero alcohol licence** means a licence that—

- (a) is issued to a person who is authorised to obtain the licence by a court order made under [section 65B\(2\)](#); and
- (b) authorises the person to drive on the condition that neither the person's breath nor the person's blood contains alcohol.

## **128E Powers of parking wardens**

- (1) A parking warden in uniform or in possession of a warrant or other evidence of authority as a parking warden—

(a) may enforce the provisions of any stationary vehicle offence or special vehicle lane offence:

(b) may, in relation to enforcing the provisions of any stationary vehicle offence or special vehicle lane offence, direct any person on any road, and apparently in charge of or in any vehicle, to—

(i) provide the person's full name and full address and give any other identifying particulars required as to the person's identity (for example, the person's date of birth, occupation, and telephone number):

(ii) give any information that is within the person's knowledge and that may lead to the identification of the driver or person in charge of any vehicle (for example, the other person's full name, full address, date of birth, occupation, and telephone number):

(c) may direct the driver or person in charge of any vehicle on any road to remove the vehicle from the road or any specified part of any road, if the parking warden believes on reasonable grounds that—

(i) the vehicle causes an obstruction in the road or to any vehicle entrance to any property; or

(ii) the removal of the vehicle is desirable in the interests of road safety or for the convenience or in the interests of the public:

(d) may, if the parking warden believes on reasonable grounds that a vehicle on a road causes an obstruction in the road or to any vehicle entrance to any property or that the removal of the vehicle is desirable in the interests of road safety or for the convenience or in the interests of the public,—

(i) enter, or authorise another person to enter, the vehicle for the purpose of moving it or preparing it for movement; and

(ii) move, or authorise another person to move, the vehicle to any place where it does not constitute a traffic hazard.

(2) Every person commits an offence and is liable on conviction to a fine not exceeding \$1,000 who—

(a) fails to comply with any direction given under subsection (1)(b); or

(b) gives, in response to a direction given under subsection (1)(b), any information that the person knows to be false.

(3) Every person to whom any direction is given under the authority of subsection (1) must comply with the direction, and no person may do any act that is for the time being forbidden by any direction given under the authority of subsection (1).

(4) A person who is authorised by a parking warden to enter a vehicle for the purpose of moving it or preparing it for movement or to move a vehicle to a place where it does not constitute a traffic hazard may do so, but must do everything reasonably necessary to ensure that the vehicle is not damaged while doing so.

(5) Every person commits an offence and is liable on conviction for a fine not exceeding \$1,000 if the person—

(a) has possession of a vehicle as a result of its being moved under subsection (1)(d); and

(b) fails to deliver possession of the vehicle, as soon as practicable, to a person who produces satisfactory evidence, at any reasonable time, to the effect that the person was lawfully entitled to possession of the vehicle immediately before it was moved.

Section 128E: inserted, on 10 May 2011, by [section 71](#) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Section 128E(1)(b): replaced, on 1 August 2012, by [section 12](#) of the Land Transport Amendment Act 2011 (2011 No 31).

Section 128E(2): amended, on 1 July 2013, by [section 413](#) of the Criminal Procedure Act 2011 (2011 No 81).

Section 128E(5): amended, on 1 July 2013, by [section 413](#) of the Criminal Procedure Act 2011 (2011 No 81).

### **139 Issue of infringement notice**

(1) If an enforcement officer has reasonable cause to believe an infringement offence is being or has been committed by a person, an infringement notice in respect of that offence may be issued to that person by an enforcement officer.

(2) An infringement notice may be served—

(a) by attaching it, or a copy of it, to the vehicle to which the notice relates; or

(b) by delivering it, or a copy of it, personally to the person who appears to have committed the infringement offence; or

(c) by sending it, or a copy of it, by post addressed to him or her at his or her last known place of residence or business or postal address; or

(d) if the person is a holder of a land transport document, by serving it, or a copy of it, by post on that person at his or her last address for service provided for the purposes of that document.

(3) An infringement notice that—

(a) is attached to a vehicle under subsection (2)(a) must be treated as having been served when it is attached to the vehicle:

(b) is sent to a person by post under subsection (2)(c) or (d) must be treated as having been served on the person when it would have been delivered in the ordinary course of post.

(4) [Repealed]

(5) [Repealed]

(6) If a parking warden has reason to believe that the user of a vehicle has committed an infringement offence that may be enforced by a parking warden under [section 128E](#),—

(a) the user of the vehicle may be proceeded against for the alleged offence under the [Criminal Procedure Act 2011](#); or

(b) the parking warden may issue an infringement notice in respect of the alleged offence.

(7) For the purposes of any proceedings in respect of an infringement offence that is an offence against a bylaw made under [section 9\(1\)\(e\) or \(g\)](#) of the Airport Authorities Act 1966, **enforcement officer** includes officers appointed by an airport authority.

### **34 Contravention of section 6**

(1) A person commits an offence if the person—

(a) Operates an unsafe motor vehicle on a road; or

(b) Operates a vehicle on a road without displaying current evidence of vehicle inspection or a certificate of loading or both (as may be required by the regulations or the rules); or

(c) fails to comply with the provisions of the regulations or the rules concerning evidence of vehicle inspection, certificates of loading, or the operation of a vehicle that is required to have such evidence or certificate or both.

(2) The maximum penalty on conviction for an offence against subsection (1) is a fine not exceeding \$2,000.

Compare: 1962 No 135 [ss 79\(8\), 79B\(6\)](#); SR 1976/227 [rr 80, 85](#)

### **40 Contravention of ordinary rules**

(1) A person commits an offence if the person contravenes a provision of an ordinary rule and the contravention of that provision is for the time being prescribed as an offence by regulations made under section 167.

(2) If a person is convicted of an offence referred to in subsection (1), the person is liable to the applicable penalty set out in the regulations.

Compare: 1993 No 88 s 30

#### **41 Contravention of emergency rules**

(1) A person commits an offence if the person, without reasonable excuse, acts in contravention of or fails to comply with an emergency rule.

(2) If a person is convicted of an offence against subsection (1),—

(a) the maximum fine for an individual is \$2,000:

(b) the maximum fine for a body corporate is \$10,000.

Compare: 1993 No 88 s 30

#### **133A Owner liability for stationary vehicle offences**

(1) Proceedings for a stationary vehicle offence may be taken against 1 or more of the following persons (whether or not, in the case of a person referred to in paragraph (b) or (c), the person is an individual or was the driver, person in charge, or user of the vehicle at the time the alleged offence was committed):

(a) the person who allegedly committed the offence:

(b) the person who, at the time of the alleged offence,—

(i) was registered as the owner, or one of the owners, of the vehicle involved in the offence in a register kept under [section 18](#) of the Transport (Vehicle and Driver Registration and Licensing) Act 1986; or

(ii) was the registered person in respect of the vehicle under [Part 17](#) of this Act:

(c) the person who, at the time of the alleged offence, was lawfully entitled to possession of the vehicle involved in the offence (whether or not jointly with any other person).



(2) Subject to subsection (4), in any proceedings taken against a person under subsection (1)(b) or (c), in the absence of proof to the contrary, it must be presumed that—

(a) the person was the driver, person in charge, and user of the vehicle at the time of the alleged offence (whether or not the person is an individual); and

(b) the acts or omissions of the driver, person in charge, or user of the vehicle at that time were the acts or omissions of the first-mentioned person.

(3) It is a defence to proceedings taken against a person for a stationary vehicle offence if the person proves that another person has, by virtue of an order under the [Criminal Procedure Act 2011](#) or the [Summary Proceedings Act 1957](#), become liable to pay a fine or costs, or both, in respect of the offence.

(4) It is a defence to proceedings taken against a person under subsection (1)(b) or (c) if—

(a) the person proves that, at the time the alleged offence was committed,—

(i) he or she was not lawfully entitled to possession of the vehicle (either jointly with any other person or individually); or

(ii) another person was unlawfully in charge of the vehicle; and

(b) as soon as practicable after becoming aware of the alleged offence, he or she advised the enforcement authority in writing that, at the time the offence was committed, he or she was not lawfully entitled to possession of the vehicle or another person unlawfully had charge of the vehicle, as the case may be; and

(c) he or she has given the enforcement authority a statutory declaration that—

(i) identifies another person who was, at the time of the alleged offence, lawfully entitled to possession, or was unlawfully in charge, of the vehicle by providing—

(A) the full name and full address of the other person; and

(B) any other identifying particulars of the other person that are known to the person making the declaration (for example, the other person's date of birth, occupation, and telephone number); or

(ii) establishes that the person making the declaration was unable to identify the other person after taking all reasonable steps to do so.

(5) In the case of any stationary vehicle offence, any defence available under subsection (3) or (4) is in addition to and not in substitution for any defences available under the enactment creating the offence.

Compare: 1962 No 135 [s 41A](#)

Section 133A: inserted, on 10 May 2011, by [section 73](#) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Section 133A(3): amended, on 1 July 2013, by [section 413](#) of the Criminal Procedure Act 2011 (2011 No 81).

Section 133A(4)(c): replaced, on 1 August 2012, by [section 14](#) of the Land Transport Amendment Act 2011 (2011 No 31).

# **Land Transport**

**(Road user)**

## **Rule 2004**

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# Land Transport (Road user) Rule 2004

<http://www.legislation.govt.nz/regulation/public/2004/0427/latest/whole.html>

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Interpretation:

Part 6

Rule 8.7.2

## 1.6 Interpretation

- In this rule, unless the context otherwise requires,—

**Act** means the [Land Transport Act 1998](#)

**agricultural motor vehicle**—

- (a) means a vehicle that is designed, constructed, or adapted for agricultural purposes; and
- (b) includes—
  - (i) an agricultural trailer; and
  - (ii) an agricultural tractor; but
- (c) does not include any vehicle that is—
  - (i) of a class specified in Table A of Part 2 of the Land Transport Rule: Vehicle Standards Compliance 2002; and
  - (ii) designed or constructed for general road use

**agricultural purpose**—

- (a) includes—
  - (i) land cultivation;
  - (ii) growing and harvesting crops (including horticulture and viticulture);
  - (iii) rearing livestock;
  - (iv) any land management operation undertaken in connection with—
    - (A) the operation or management of a farm; or
    - (B) a purpose described in subparagraphs (i) to (iii); but
- (b) does not include forestry, or any land management operation not referred to in paragraph (a)(iv)

**agricultural tractor** means a vehicle that is designed and constructed principally for the purposes of—

- (a) towing an agricultural trailer; or
- (b) drawing, or powering, an implement ordinarily used for an agricultural purpose

**agricultural trailer**—

- (a) means a trailer that is used principally for agricultural purposes; and

- (b) includes a wheeled agricultural implement, the wheels of which are in contact with the road when the implement is being towed; but
- (c) does not include—
  - (i) a trailer that is—
    - (A) designed principally for the carriage of goods; and
    - (B) operated at a speed exceeding 40 kph; or
  - (ii) a logging trailer

**all terrain vehicle** means a vehicle (with or without motorcycle controls and equipment) that—

- (a) is principally designed for off-road use; and
- (b) has 3 or more wheels; and
- (c) has an engine capacity exceeding 50 ml; and
- (d) has a gross weight of less than 1 000 kg

**alley lamp** means a work lamp designed primarily to provide a fixed or movable beam of light to the side of a vehicle to which it is fitted

**ambulance service** means a service that complies with the requirements in NZS 8156:2002 Ambulance Sector Standard

**approved**, in relation to an appliance, apparatus, device, system, component, equipment, or fitting, means approved by or under the Act, Land Transport Rule: Vehicle Equipment 2004, or any other rule made under the Act

**approved disabled person's parking permit** means a disabled person's parking permit or mobility parking permit—

- (a) issued by CCS Disability Action Incorporated or Sommerville Centre for Special Needs Wanganui Incorporated; or
- (b) approved by the territorial authority having control of the parking area

**beacon** means a warning lamp comprising 1 or more light sources designed to emit a flashing light or a revolving beam of light

**bus** means a passenger service vehicle that has more than 9 seating positions (including the driver's seating position)

**bus lane** means a lane reserved by a marking or sign installed at the start of the lane and at each point at which the lane resumes after an intersection for the use of—

- (a) buses; and
- (b) cycles, mopeds, and motorcycles (unless 1 or more are specifically excluded by the marking or sign)

**centre line**,—

- (a) in relation to any portion of a roadway not marked with a flush median, means 1 or more broken or solid lines of paint or raised studs (or any combination of those lines and studs) intended to separate opposing traffic:
- (b) in relation to any portion of a roadway marked with a flush median, means the longitudinal white line that forms the left side of the flush median as viewed by a driver facing forward

**child restraint** includes child seats, booster seats, and seat belts designed specifically to fit children

**child safety lock** means a device that—

- (a) is installed in a vehicle during the vehicle's manufacture; and
- (b) prevents a door in the vehicle being opened from inside the vehicle

**civil defence emergency vehicle** means a vehicle operated under the instructions of a controller appointed under [section 10](#) or [section 26](#) of the Civil Defence Emergency Management Act 2002 in an emergency as defined in [section 4](#) of that Act

**controlled intersection** means any intersection where the traffic is for the time being controlled by an enforcement officer, a stop sign, a give-way sign, a hand-held stop sign, a roundabout, or traffic signals

**cycle—**

- (a) means a vehicle that has at least 2 wheels and that is designed primarily to be propelled by the muscular energy of the rider; and
- (b) includes a power-assisted cycle

**cycle lane** means a longitudinal strip within a roadway designed for the passage of cycles

**cycle path—**

- (a) means part of the road that is physically separated from the roadway that is intended for the use of cyclists, but which may be used also by pedestrians; and
- (b) includes a cycle track formed under [section 332](#) of the Local Government Act 1974

**daytime running lamp** has the same meaning as in Part 2 of the Land Transport Rule: Vehicle Lighting 2004

**defence fire brigade** has the same meaning as in [section 2](#) of the Fire Service Act 1975

**defence force emergency vehicle** means a vehicle that is—

- (a) operated by the Royal New Zealand Navy Naval Police, the New Zealand Army Military Police, or the Force Protection Branch of the Royal New Zealand Air Force; or
- (b) an improvised explosive device disposal (**IEDD**) response vehicle; or
- (c) a medical response vehicle operated by the New Zealand Defence Force

**delineator** means a traffic control device, including a guide post, chevron board, bollard, barrel, or barrier, that is placed on or beside a roadway to guide road users

**dipped beam** means a beam of light, emitted from a lamp fitted to a vehicle, that is angled downwards in such a way that it prevents undue dazzle or discomfort to oncoming drivers and other road users

**dipped-beam headlamp** means a headlamp designed to emit a dipped beam; and includes any dipped beam lamp that complies with a vehicle standard for headlamps specified in Schedule 1 of Land Transport Rule 32005: Vehicle Lighting 2004

**direction-indicator lamp** means a lamp designed to emit a flashing light to signal the intention of the driver to change the direction of the vehicle to the right or to the left

**driver** means a person driving a vehicle; and includes the rider of an all terrain vehicle, a motorcycle, a moped, a cycle, a mobility device, or a wheeled recreational device

**driveway** means a place used or appearing to be used as a vehicle entrance to or exit from land fronting a roadway

**emergency vehicle** means a vehicle used for attendance at emergencies and operated—

- (a) by an enforcement officer:
- (b) by an ambulance service:
- (c) as a fire service vehicle:
- (d) as a civil defence emergency vehicle:
- (e) as a defence force emergency vehicle

**enforcement officer** means—

- (a) a constable:
- (b) a Police employee who is not a constable who is authorised for the purpose by the Commissioner of Police:
- (c) a person who is appointed to that office by warrant under [section 208](#) of the Act or who holds that office by virtue of the Act

**Fire Authority** has the same meaning as in [section 2\(1\)](#) of the Forest and Rural Fires Act 1977

**fire service vehicle** means a vehicle that is—

- (a) owned by the New Zealand Fire Service Commission or a Fire Authority; or
- (b) operated by the New Zealand Fire Service, a defence fire brigade, or any brigade responding under a co-ordination agreement and approved by the National Commander of the New Zealand Fire Service; or
- (c) operated and approved by a Fire Authority

**flush median**, in relation to a portion of a roadway, means an area marked by white diagonal lines for the purpose of separating opposing traffic that is—

- (a) painted along the middle of the roadway; and
- (b) bounded by approximately parallel, longitudinal white lines

**fog lamp** means a high intensity lamp designed to aid the driver or other road users in conditions of severely reduced visibility, including fog or snow but not including clear atmospheric conditions during the hours of darkness, and that is—

- (a) a front fog lamp; or
- (b) a rear fog lamp

**footpath** means a path or way principally designed for, and used by, pedestrians; and includes a footbridge

**front fog lamp** means a fog lamp designed to provide a dipped beam of light to the front of a motor vehicle for the purpose of illuminating the road ahead of that vehicle; and includes any lamp that complies with a vehicle standard for front fog lamps specified in Schedule 1 of Land Transport Rule 32005: Vehicle Lighting 2004



**goods vehicle** means a motor vehicle that is—

- (a) designed exclusively or principally for the carriage of goods; or
- (b) used for the collection or delivery of goods in the course of trade

**half-way**, in relation to a roundabout, means a roadway that is straight ahead or substantially straight ahead from the road-way on which a driver enters a roundabout

**headlamp,—**

- (a) for a vehicle that is not a cycle, means a lamp that is—
  - (i) designed to illuminate the road ahead of the vehicle; and
  - (ii) a dipped-beam headlamp, a main-beam headlamp, or a combination of the two:
- (b) for a cycle, means a lamp that is—
  - (i) forward-facing; and
  - (ii) sufficiently brilliant to be visible in normal atmospheric conditions for a distance of at least 100 m when it is switched on

**heavy motor vehicle** means a motor vehicle that has a gross vehicle mass exceeding 3 500 kg

**high-mounted stop lamp** means a stop lamp that is designed to be fitted in a central, high-mounted position at the rear of a vehicle

**hours of darkness** means—

- (a) a period of time between half an hour after sunset on one day and half an hour before sunrise on the next day; or
- (b) any other time when there is not sufficient daylight to render clearly visible a person or vehicle at a distance of 100 m

**inspecting organisation** has the same meaning as in Part 2 of Land Transport Rule 35001/1: Vehicle Standards Compliance 2002

**install** means place in position

**intersection,—**

- (a) in relation to 2 or more intersecting or meeting road-ways, means that area contained within the prolongation or connection of the lateral boundary lines of each roadway; but
- (b) if 2 roadways are separated only by a traffic island or by a median less than 10 m wide, the roadways must be regarded as 1 roadway

**lamp** means a device designed to emit light; and includes an array of separate light sources that appear as a continuous illuminated surface

**lane—**

- (a) means a longitudinal strip of the roadway intended for the passage of vehicles or a specific class of vehicles that is separated from other parts of the roadway by a longitudinal line or lines of paint or raised studs; and
- (b) includes—
  - (i) a cycle lane; and

- (ii) a lane for the use of vehicular traffic that is at least 2.5 m wide; and
- (iii) a lane of a two-way road divided by a centre line

**large passenger service vehicle** has the same meaning as in [section 2\(1\)](#) of the Act

**left side**, in relation to a vehicle, means the side to the left of the vehicle when the vehicle is facing forward

**level crossing**—

- (a) means a place where—
  - (i) a railway line crosses a road or street on the same level; or
  - (ii) the public is permitted to cross a railway line on the same level; and
- (b) includes a bridge used for both rail vehicles and road traffic on the same level; but
- (c) does not include a railway line on a road that is intended solely for the use of light rail vehicles

**light motor vehicle** means a motor vehicle that has a gross vehicle mass of 3 500 kg or less

**light rail vehicle**—

- (a) means a rail vehicle that is designed to run along a road among other road vehicles and users; and
- (b) includes a tram; but
- (c) does not include—
  - (i) a rail vehicle approaching or on a level crossing; or
  - (ii) a rail vehicle while it is on a railway line that is not on a road

**light rail vehicle lane** means a lane reserved for the use of light rail vehicles by a marking or sign installed at the start of the lane (unless the light rail vehicle lane is a continuous loop) and at each point at which the lane resumes after an intersection

**lighting equipment** means equipment designed both to emit or reflect light and to be fitted to a vehicle; and includes a reflector and reflective material

**limit line** means a line marked on the surface of the roadway to indicate the place where traffic is required to stop for the purpose of complying with a stop sign, give-way sign, pedestrian crossing, school crossing point, or traffic signal

**load**—

- (a) includes—
  - (i) part of a load; and
  - (ii) covers, ropes, ties, blocks, tackles, barrows, or other equipment or objects used in the securing or containing of loads on vehicles or the loading or unloading of vehicles, whether or not any other load is on the vehicle; but
- (b) does not include animal wastes discharged from animals being carried on a vehicle at the time of discharge

**loading zone** means an area of marked roadway designated solely for the purpose of loading or unloading goods or passengers

**longitudinal walking beam** means a device connecting 2 or more axles to the chassis of a vehicle in such a manner that the vertical force applied by the pressure of the road surface on one of those axles results in a vertical force in the opposite direction applied on another of those axles

**main-beam headlamp** means a headlamp designed to illuminate the road over a long distance ahead of a vehicle; and includes a driving lamp and any main-beam lamp that complies with a vehicle standard for headlamps specified in Schedule 1 of Land Transport Rule 32005: Vehicle Lighting 2004

**marking** means a line, symbol, pattern, message, numeral, pavement marker, or other device set in the roadway or applied or attached to the road surface

**median** means a strip of land that may be part of a road and that separates vehicles travelling in opposite directions

**mobile phone—**

- (a) includes a portable electronic device whose functions include being a telephone:
- (b) does not include a CB radio:
- (c) does not include any other kind of two-way radio:
- (d) does not include an earpiece or mouthpiece that is connected, physically or otherwise, to a mobile phone to allow a driver to use the phone without holding or manipulating it

**mobility device** means—

- (a) a vehicle that—
  - (i) is designed and constructed (not merely adapted) for use by persons who require mobility assistance due to a physical or neurological impairment; and
  - (ii) is powered solely by a motor that has a maximum power output not exceeding 1 500 W; or
- (b) a vehicle that the Agency has declared under [section 168A\(1\)](#) of the Land Transport Act 1998 to be a mobility device

**moped** has the same meaning as in [section 2\(1\)](#) of the Land Transport Act 1998

**motor vehicle—**

- (a) has the same meaning as in [section 2\(1\)](#) of the Act; and
- (b) in [Part 5](#) of this rule, includes a light rail vehicle

**motorcycle—**

- (a) means a motor vehicle running on 2 wheels, or not more than 3 wheels when fitted with a sidecar; and
- (b) includes a vehicle with motorcycle controls that is approved as a motorcycle by the Agency; but
- (c) does not include a moped

**motorway** has the same meaning as in [section 2\(1\)](#) of the Government Roadway Powers Act 1989

**multi-lane road** means—

- (a) a one-way road with 2 or more marked lanes (other than cycle lanes); or
- (b) a two-way road with 2 or more marked lanes (other than cycle lanes) that—

- (i) are on the side of the dividing line or median where the driver is driving; and
- (ii) are for the use of vehicles travelling in the same direction

**normal braking** means the level of braking applied to a vehicle that does not lock any of the vehicle's wheels and permits the vehicle to decelerate without adversely affecting directional control

**normal vision** means the visual acuity required of a person to obtain and hold a driver licence in accordance with [Land Transport \(Driver Licensing\) Rule 1999](#)

**operate**, in relation to a vehicle, means to drive or use the vehicle on a road, or to cause or permit the vehicle to be on a road or to be driven on a road, whether or not the person is present with the vehicle

**parking** means,—

- (a) in relation to a portion of a road where parking is for the time being governed by the location of parking machines placed under the authority of a bylaw of a local authority, the stopping or standing of a vehicle on that portion of the road for any period exceeding 5 minutes;
- (b) in relation to any other portion of a road, the stopping or standing of a vehicle (other than a vehicle picking up or setting down passengers in a loading zone or reserved parking area, and entitled to do so) on that portion of the road

**parking warden** means a parking warden appointed under [section 128D](#) of the Land Transport Act 1998

**passenger service vehicle** has the same meaning as in [section 2\(1\)](#) of the Act

**pedestrian**—

- (a) means a person on foot on a road; and
- (b) includes a person in or on a contrivance equipped with wheels or revolving runners that is not a vehicle

**pedestrian crossing** means a pedestrian crossing duly established and marked on a roadway in accordance with clause 8.2 of Land Transport Rule 54002: Traffic Control Devices 2004

**pilot vehicle** means a motor vehicle that—

- (a) escorts an overdimension or overweight motor vehicle; and
- (b) warns road users of the potential hazard created by the overdimension or overweight motor vehicle or its load or both

**position lamp** means a low intensity lamp that is designed to indicate to other road users the presence and dimensions of a vehicle, being—

- (a) a forward-facing position lamp; or
- (b) a rearward-facing position lamp; or
- (c) a side-marker lamp; or
- (d) an end-outline marker lamp

**power-assisted cycle** means a cycle to which is attached 1 or more auxiliary propulsion motors that have a combined maximum power output not exceeding 300 W

**public holiday** means a day specified as a public holiday in [section 44\(1\)](#) of the Holidays Act 2003

**rail vehicle**—

- (a) means any vehicle that operates on, or uses, a railway line; and
- (b) includes a locomotive, rail carriage, rail wagon, railcar, light rail vehicle, rail maintenance vehicle (whether or not self-propelled), and any other vehicle prescribed as a rail vehicle by any enactment; but
- (c) does not include a vehicle designed to operate both on and off rails while it is not operating on rails

**rear fog lamp** means a fog lamp designed to indicate to other road users the presence of the rear of the vehicle

**reflective material** (or **retroreflective material**) means any material that is designed to reflect incident light back towards the light source or in a specific direction; but does not include a reflector

**reflector** (or **retroreflector**) means a discrete item of lighting equipment that is designed to reflect incident light back towards the light source; but does not include reflective material

**rider** means a person riding an animal, an all terrain vehicle, a motorcycle, a moped, a cycle, a mobility device, or a wheeled recreational device

**right side**, in relation to a vehicle, means the side to the right of the vehicle when the vehicle is facing forward

**road** includes—

- (a) a street; and
- (b) a motorway; and
- (c) a beach; and
- (d) a place to which the public have access, whether as of right or not; and
- (e) all bridges, culverts, ferries, and fords forming part of a road or street or motorway or a place referred to in paragraph (d); and
- (f) all sites at which vehicles may be weighed for the purposes of the Act or any other enactment

**road controlling authority**, in relation to a road,—

- (a) means the authority, body, or person or persons having control of the road; and
- (b) includes a person acting under and within the terms of any delegation or authorisation given by the controlling authority

**road margin** includes any uncultivated margin of a road adjacent to but not forming part of either the roadway or the footpath (if any)

**road user** means a driver, rider, passenger, or pedestrian

**roadway** means that portion of the road used or reasonably usable for the time being for vehicular traffic in general

**roundabout** means an intersection with 1 or more marked lanes or lines of traffic, all of which are for the use of vehicles travelling in a clockwise direction around a central traffic island

**safe stopping distance** means the minimum distance required for a driver of normal vision, driving at a safe operating speed for the road, to recognise a hazard and decelerate with normal braking to stop completely before reaching the hazard

**safety chain** means a chain or steel wire rope running from the rear of a vehicle to the front of a trailer for the purposes of—

- (a) retaining the link between the vehicle and the trailer; and
- (b) restricting the movement of the trailer if the coupling fails

**safety zone** means a portion of roadway—

- (a) indicated by a structure installed on the roadway; and
- (b) that has, near the end first met by approaching vehicles travelling along the side of the roadway on which the safety zone is established, a sign displaying to approaching drivers the words “Safety Zone”

**scene lamp** means a work lamp designed to provide a fixed or movable beam of light to illuminate the area around a vehicle or the vehicle itself

**school bus**—

- (a) means a bus that is being used, whether or not for hire or reward,—
  - (i) for transporting school children to or from school with or without their teachers; or
  - (ii) principally for transporting school children to or from a school function; but
- (b) does not include a bus that—
  - (i) is being used principally for transporting school children to or from a school function; and
  - (ii) is carrying no more passengers than the seated capacity specified in the bus's certificate of loading; and
  - (iii) is not displaying a school bus sign

**school bus sign** means a sign required by clause 4.4(14) of Land Transport Rule: Traffic Control Devices 2004

**school crossing point** means a school crossing point established in accordance with clause 8.4 of Land Transport Rule 54002: Traffic Control Devices 2004

**service brake** means a brake for intermittent use that is designed for the purpose of slowing down and stopping a vehicle

**shared zone** means a length of roadway intended to be used by pedestrians and vehicles

**signalling device** means a vehicle lamp by means of which the driver can indicate the driver's manoeuvring intentions; and includes a stop lamp and a direction-indicator lamp

**small passenger service vehicle** has the same meaning as in [section 2\(1\)](#) of the Act

**special signal for pedestrians** means a signal to pedestrians, riders of mobility devices, and riders of wheeled recreational devices

**special vehicle lane** means a lane defined by signs or markings as restricted to a specified class or classes of vehicle; and includes a bus lane, a transit lane, a cycle lane, and a light rail vehicle lane

**specified school bus sign** means the sign specified as W17–1.3 in Schedule 1 of Land Transport Rule: Traffic Control Devices 2004 (symbolic children plus flashing lights)

**static roll threshold** has the same meaning as the term **Static Roll Threshold (SRT)** in Part 2 of Land Transport Rule 41001: Vehicle Dimensions and Mass 2002

**static roll threshold compliance certificate** means the document referred to in paragraph 3.6(1)(b) of Land Transport Rule 41001: Vehicle Dimensions and Mass 2002

**stop lamp** means a lamp that is designed to operate when the service brake is activated

**territorial authority** has the same meaning as in [section 5](#) of the Local Government Act 2002

**towing connection—**

- (a) means the combination of components that enables 1 vehicle to tow or be towed by another vehicle; and
- (b) includes a drawbar and its associated safety chain or chains; and
- (c) includes a drawbeam and coupling and their associated safety chain or chains; and
- (d) includes a towbar and its associated safety chain or chains

**traction engine** means a vehicle that—

- (a) is propelled by steam power; and
- (b) is not a rail service vehicle within the meaning of [section 2\(1\)](#) of Transport Services Licensing Act 1989; and
- (c) is not designed for the carriage of goods or persons other than the driver and, if appropriate, other persons involved in its operation

**tractor** means a motor vehicle (other than a traction engine) constructed principally for towing an agricultural trailer or powering agricultural implements

**traffic control device** has the same meaning as in Part 2 of Land Transport Rule 54002: Traffic Control Devices 2004

**traffic island** means a defined area within a roadway, which may be flush with the roadway or raised, and from which vehicular traffic is intended to be excluded

**traffic sign** means a traffic control device prescribed by Part 2 of Land Transport Rule 54002: Traffic Control Devices 2004

**traffic signal** means a set of illuminated displays complying with section 6 of Land Transport Rule 54002: Traffic Control Devices 2004

**trailer—**

- (a) means a vehicle without motive power that is capable of being drawn or propelled by a vehicle from which it is readily detachable; but
- (b) does not include—
  - (i) a sidecar attached to a motorcycle; or

- (ii) a vehicle normally propelled by mechanical power while it is being temporarily towed without the use of its own power

**transit lane** means a lane reserved for the use of the following (unless specifically excluded by a sign installed at the start of the lane):

- (a) passenger service vehicles:
- (b) motor vehicles carrying not less than the number of persons (including the driver) specified on the sign:
- (c) cycles:
- (d) motorcycles:
- (e) mopeds

**turn** means to change direction; but if a roadway is marked with a centre line to show the normal path of vehicles,—

- (a) a vehicle must be regarded as having turned if it leaves that path to enter another roadway or driveway or joins that path from another roadway or driveway; and
- (b) a vehicle following the markings must not be regarded as having turned even though an intersection occurs at a point where the markings are laid out in a curve

**uncontrolled intersection** means any intersection at which the traffic is not for the time being controlled by an enforcement officer, a stop sign, a give-way sign, a hand-held stop sign, a roundabout, or traffic signals

**UN/ECE** is an abbreviation for a regulation of the United Nations Economic Commission for Europe

**use**, in relation to a vehicle, includes—

- (a) driving, drawing, or propelling on a road by means of another vehicle; and
- (b) permitting to be on a road

**vehicle** has the same meaning as in [section 2\(1\)](#) of the Act

**vehicle inspector** has the same meaning as in Part 2 of Land Transport Rule 35001/1: Vehicle Standards Compliance 2002

**vehicle recovery service vehicle** has the same meaning as in [section 2\(1\)](#) of the Act

**visible** means able to be seen from a safe stopping distance

**wheeled recreational device**—

- (a) means a vehicle that is a wheeled conveyance (other than a cycle that has a wheel diameter exceeding 355 mm) and that is propelled by human power or gravity; and
- (b) includes a conveyance to which are attached 1 or more auxiliary propulsion motors that have a combined maximum power output not exceeding 300 W

**work lamp** means a high intensity lamp, which is not necessary for the operation of the vehicle, but is designed to illuminate a work area or scene; and includes—

- (a) a scene lamp; and
- (b) a spot lamp; and
- (c) an alley lamp.



## Part 6

# Stopping and parking

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### 6.1 Vehicles must be parked with due care and consideration

- A driver or person in charge of a vehicle must not stop, stand, or park the vehicle on a road, whether attended or unattended, without due care or without reasonable consideration for other road users.

Compare: SR 1976/227 [r 35\(1\)\(a\)](#)

### 6.2 Parking vehicles off roadway

- (1) A driver or person in charge of a vehicle must not stop, stand, or park the vehicle on a roadway if he or she can stop, stand, or park it on the road margin without damaging ornamental grass plots, shrubs, or flower beds laid out or planted on the margin.  
(2) Subclause (1) does not apply if the road controlling authority provides signs or markings, or makes a bylaw, indicating that a rule different from the one in subclause (1) applies.  
Clause 6.2: substituted, on 1 November 2009, by [clause 19](#) of the Land Transport (Road User) Amendment Rule 2009 (SR 2009/253).

### 6.3 Parking close to corners, bends, etc

- (1) A driver or person in charge of a vehicle must not stop, stand, or park the vehicle on any part of a roadway so close to any corner, bend, rise, dip, traffic island, or intersection as to obstruct or be likely to obstruct other traffic or any view of the roadway to the driver of a vehicle approaching that corner, bend, rise, dip, traffic island, or intersection unless the stopping, standing, or parking is authorised by signs or markings maintained by the road controlling authority.  
(2) A driver must not stop, stand, or park a vehicle on any part of a road, whether attended or unattended, within an intersection or within 6 m of an intersection unless the stopping, standing, or parking is authorised by signs or markings maintained by the road controlling authority.  
Compare: SR 1976/227 [r 35\(2\)\(a\), \(d\)](#)

### 6.4 Parking contrary to notice, traffic sign, or marking

- (1) A driver or person in charge of a vehicle must not stop, stand, or park the vehicle on any part of a road contrary to the terms of a notice, traffic sign, or marking that—
  - (a) indicates that stopping, standing, or parking vehicles is prohibited, limited, or restricted; and
  - (b) is on or adjacent to the road; and
  - (c) is authorised by a road controlling authority under the Land Transport Rule: Traffic Control Devices 2004.

(1A) Without limiting subclause (1), a driver or person in charge of a vehicle must not stop, stand, or park the vehicle in any parking area reserved for disabled persons unless—

- (a) the driver or any passenger is disabled; and
- (b) an approved disabled person's parking permit is prominently displayed in the vehicle.

(2) A sign that imposes a parking restriction and incorporates the symbol "P" or "P\$" on the top of the sign, or relates to a loading zone, applies between the hours of 8 am and 6 pm on days other than public holidays, unless otherwise specified on the sign or on a supplementary sign. All other signs apply at all hours of the day and night, unless a time period is specified on the sign.

(3) The words "other times", or any words of similar effect, on a parking sign mean that any restriction on the sign applies while the sign applies under subclause (2), but does not apply during the times specified by an immediately adjacent sign that notifies a different restriction.

(4) A driver or person in charge of a vehicle must not stop, stand, or park the vehicle on any part of a roadway where the road controlling authority has marked a broken yellow line parallel to, and at a distance of not more than 1 m from, the edge of the roadway.

Compare: SR 1976/227 [rr 35\(2\)\(d\), \(e\), 123\(4\), \(5\)](#)

Clause 6.4(1): substituted, on 1 November 2009, by [clause 20](#) of the Land Transport (Road User) Amendment Rule 2009 (SR 2009/253).

Clause 6.4(1A): inserted, on 17 January 2008, by [clause 8](#) of the Land Transport (Road User) Amendment Rule (No 2) 2007 (SR 2008/2).

Clause 6.4(2): amended, on 1 October 2011, by [clause 13](#) of the Land Transport (Road User) Amendment Rule 2011 (SR 2011/307).

## **6.5 Parking on or near pedestrian crossings**

- (1) A driver or person in charge of a vehicle must not stop, stand, or park the vehicle on a pedestrian crossing.
- (2) A driver must not stop, stand, or park a vehicle—
  - (a) within 6 m of the driver's approach to a pedestrian crossing; or
  - (b) within any distance (being greater than 6 m) from the driver's approach to a pedestrian crossing that the road controlling authority determines by installing a sign or by marking on the roadway a broken yellow line parallel to, and at a distance of not more than 1 m from, the edge of the roadway.
- (3) Subclause (2) does not apply to—
  - (a) a cycle; or
  - (b) a vehicle of a type that is wholly within an area that is set back from the line of traffic approaching a pedestrian crossing and in which parking is authorised by signs or markings maintained by the road controlling authority.

Compare: SR 1976/227 [r 35\(2\)\(b\), \(ba\)](#)

## **6.6 Parking in special vehicle lane**

- A driver or person in charge of a vehicle must not stop, stand, or park the vehicle in any special vehicle lane unless—
  - (a) the vehicle belongs to a class of vehicle for which use of the lane is reserved, and stopping, standing, or parking of the vehicle is permitted at that place by signs or markings; or
  - (b) the vehicle is an emergency vehicle that is being used in an emergency and is operating a red beacon or red and blue beacons.

Clause 6.6: substituted, on 17 January 2008, by [clause 9](#) of the Land Transport (Road User) Amendment Rule (No 2) 2007 (SR 2008/2).

#### **6.7 Parking on traffic islands and flush medians**

- A driver or person in charge of a vehicle must not stop, stand, or park the vehicle on a traffic island or flush median.  
Compare: SR 1976/227 [r 35\(2\)\(bb\)](#)

#### **6.8 Parking near bus stops**

- (1) A driver or person in charge of a vehicle must not stop, stand, or park the vehicle within 6 m of a bus stop sign. This subclause is overridden by subclauses (2) and (3).  
(2) If the vehicle is a bus, the driver or person in charge of it may stop or stand the vehicle within 6 m of a bus stop sign.  
(3) If the area in which stopping, standing, or parking is prohibited is marked out as being longer or shorter than 6 m, the provisions of clause 6.15 apply.

Clause 6.8: substituted, on 1 November 2009, by [clause 21](#) of the Land Transport (Road User) Amendment Rule 2009 (SR 2009/253).

#### **6.9 Obstructing vehicle entrances and exits**

- (1) A driver or person in charge of a vehicle must not stop, stand, or park the vehicle so as to obstruct entry to or exit from any driveway.  
(2) For the purposes of this clause, a vehicle parked alongside any part of a kerb crossing provided for a driveway or within 1 m of the prolongation of the side of a driveway must be regarded as obstructing entry or exit.  
(3) Nothing in subclause (1) or subclause (2) applies to a bus that has stopped at an authorised bus stop, or a light rail vehicle that has stopped at a light rail vehicle stop, for the purpose of picking up or dropping off passengers.

Compare: SR 1976/227 [r 35\(2\)\(f\)](#)

Clause 6.9(3): amended, on 1 October 2011, by [clause 14](#) of the Land Transport (Road User) Amendment Rule 2011 (SR 2011/307).

#### **6.10 Parking near fire hydrants**

- (1) A driver or person in charge of a vehicle must not stop, stand, or park the vehicle—
  - (a) within 500 mm of a fire hydrant; or

- (b) if the fire hydrant is situated below the surface of the road, within 500 mm of the centre of the cover of the hydrant.

(2) A driver or person in charge of a vehicle must not stop, stand, or park the vehicle between the nearer edge of the roadway and any portion of a marking on the roadway indicating the presence of a fire hydrant, the centre of which marking is not more than 6 m from a fire hydrant situated outside the roadway.

(3) However, a driver is not in breach of subclause (1) or subclause (2) if the driver proves that he or she remained in the vehicle or left in charge of the vehicle a person licensed and capable of moving it if necessary.

Compare: SR 1976/227 [r 35\(2\)\(g\)](#), [\(h\)](#)

#### **6.11 Double parking**

- A driver or person in charge of a vehicle must not stop, stand, or park the vehicle so that any other stopped motor vehicle is located between his or her vehicle and the nearest edge of the roadway.

Compare: SR 1976/227 [r 35\(2\)\(i\)](#)

#### **6.12 Parallel parking**

- (1) Unless [clause 6.13](#) applies, a driver or person in charge of a vehicle must not stop, stand, or park the vehicle otherwise than parallel with the direction of the roadway and with the left side of the vehicle as close as practicable to the left side of the road.
- (2) However, in a one-way road, the vehicle must face in the same direction as the vehicles proceeding along the road and as close as practicable to either side of the road.

Compare: SR 1976/227 [r 35\(2\)\(j\)](#)

#### **6.13 Parking at angle**

- (1) If the road controlling authority has indicated that vehicles may be parked only at an angle to the direction of the road-way, a driver must not stand or park a vehicle (other than a cycle) otherwise than in accordance with the direction indicated.
- (2) An all terrain vehicle, a motorcycle, a moped, or a cycle may be parked otherwise than parallel with the roadway if during the hours of darkness it is sufficiently illuminated so as to be visible from at least 50 m.

Compare: SR 1976/227 [r 35\(2\)\(j\)](#)

#### **6.14 Parking on footpaths or cycle paths**

- (1) A driver or person in charge of a vehicle must not stop, stand, or park the vehicle on a footpath or on a cycle path.
- (2) Subclause (1) does not apply to cycles if a road controlling authority indicates otherwise by means of signs or markings or if it installs facilities for the parking, standing, or storage of cycles on a footpath or cycle path.

(3) Nothing in subclause (1) prevents a person from stopping, standing, or parking a cycle, mobility device, or wheeled recreational device on a footpath if doing so does not unreasonably obstruct any other user of the footpath.

Compare: SR 1976/227 [r 35\(2\)\(k\)](#)

#### **6.15 Parking on stopping places and stands**

- (1) This clause applies to an area of roadway that the road controlling authority—
  - (a) reserves as a stopping place or stand for a class or classes of vehicle; and
  - (b) tells drivers about by installing 1 or more appropriate parking signs at an adjoining place or at adjoining places that give drivers reasonable notice of the area's presence.

(2) A driver or person in charge of a vehicle that does not belong to a class or classes of vehicle indicated by an appropriate parking sign installed at that stopping place or stand must not stop, stand, or park the vehicle, whether attended or unattended, on the area.

(3) A driver or person in charge of a vehicle that belongs to a class or classes of vehicle indicated by an appropriate parking sign installed at that stopping place or stand must not leave the vehicle unattended on the area.

(4) An area described in subclause (1) may be marked by lines on the roadway put there by the road controlling authority. The road controlling authority must mark the area by putting lines on the roadway if it is practicable for it to do so.

Compare: SR 1976/227 [r 35\(2\)\(l\)](#)

Clause 6.15(1): substituted, on 1 November 2009, by [clause 22\(1\)](#) of the Land Transport (Road User) Amendment Rule 2009 (SR 2009/253).

Clause 6.15(4): added, on 1 November 2009, by [clause 22\(2\)](#) of the Land Transport (Road User) Amendment Rule 2009 (SR 2009/253).

#### **6.16 Parking on loading zone**

- (1) A driver or person in charge of a vehicle must not stop, stand, or park the vehicle on any part of a roadway reserved by a road controlling authority as a loading zone—
  - (a) if the vehicle does not belong to the class (if any) specified on the sign; or
  - (b) if the driver leaves the vehicle unattended for more than 5 minutes or any period longer than that specified on the sign; or
  - (c) if goods or passengers are not actually being loaded or unloaded from the vehicle.

(2) This clause applies only if the location of the loading zone is indicated by the road controlling authority by the installation of the appropriate parking signs and markings prescribed by Land Transport Rule 54002: Traffic Control Devices 2004.

(3) Nothing in subclause (1) permits a vehicle to be left unattended within a loading zone if the appropriate parking sign indicates that the vehicle must be attended at all times.

Compare: SR 1976/227 [r 35\(2\)\(m\)](#)

#### **6.17 Parking on or near level crossings**

- A driver or person in charge of a vehicle must not stop, stand, or park the vehicle—
  - (a) on a level crossing; or
  - (b) near a level crossing so as to obscure the view that other road users have of the crossing or a rail vehicle approaching the crossing.

Compare: SR 1976/227 [r 35\(2\)\(n\)](#)

#### **6.18 Parking goods vehicle at angle during hours of darkness**

- (1) A driver or person in charge of a goods vehicle that exceeds 6 m in length and that is fitted with a flat deck or tray for the carriage of goods (whether or not it is equipped with side boards and tailboards) must not stop, stand, or park that vehicle on a roadway during the hours of darkness, whether attended or unattended, at an angle to the direction of the roadway.

(2) However, subclause (1) does not apply to any part of a roadway where the road controlling authority maintains a notice, traffic sign, or marking indicating that the parking of such vehicles at an angle to the roadway during the hours of darkness is permitted.

Compare: SR 1976/227 [r 35\(3\)](#)

#### **6.19 Parking trailers on roadway**

- (1) Except with the written permission of the road controlling authority given for a specified trailer, and in compliance with any conditions imposed by the road controlling authority in giving that permission, a person must not park a trailer on a roadway for a period exceeding 7 days.

(2) Subclause (1) does not derogate from any of the provisions of [clauses 6.1 to 6.18](#).

Compare: SR 1976/227 [r 35\(4\)](#)

#### **6.20 Exceptions under this Part**

- (1) This clause contains exceptions to this Part that are in addition to the exceptions in [clause 1.8](#).

(2) A driver or person in charge of any goods vehicle is not in breach of [clause 6.11](#) or [clause 6.12](#) if he or she proves that the act or omission complained of—

- (a) took place in accordance with the directions of a notice, traffic sign, or marking on the roadway; or
- (b) was necessary for the loading or unloading of the vehicle in the course of trade, and took place with due consideration for the safety and convenience of other road users, and either—

- (i) that alternative access for the purpose of loading or unloading the vehicle was unavailable; or
- (ii) if alternative access was available, that the circumstances existing at the time were such that it was unreasonable to require the alternative access to be used.

(3) A driver of any small passenger service vehicle is not in breach of [clause 6.11](#) if the driver proves that—

- (a) the act or omission complained of took place during the picking up or setting down of passengers in connection with their carriage for hire or reward and took place with due consideration for the safety and convenience of other road users; and
- (b) either—
  - (i) alternative access for the purpose of picking up or setting down passengers was unavailable; or
  - (ii) if alternative access was available, that the circumstances existing at the time were such that it was unreasonable to require such access to be used.

Compare: SR 1976/227 [r 36\(2\), \(3\)](#)

Clause 6.20(3): amended, on 1 October 2011, by [clause 15](#) of the Land Transport (Road User) Amendment Rule 2011 (SR 2011/307).

### **8.7 Use of motor vehicle lights on parked or standing vehicles**

- (1) A driver must not park or leave a motor vehicle on any roadway during the hours of darkness unless—
  - (a) it is illuminated from an artificial source so that it is visible; or
  - (b) it displays light from the rearward-facing position lamp or, if 2 rearward-facing position lamps are fitted, from both rearward-facing position lamps, and from either the forward-facing position lamp or dipped-beam headlamp on the side of the vehicle that is closest to the middle of the road.

(2) A driver must not park or leave any goods vehicle that is a heavy motor vehicle or a vehicle fitted with a flat deck or tray for the carriage of goods (whether or not it is equipped with sideboards or tail boards) on any roadway during the hours of darkness unless it displays a rearward-facing position lamp that is visible.

(3) The driver of a motor vehicle that is standing or has stopped on a road for a temporary purpose during the hours of darkness (for example, to enable the driver to read a map) must use either the forward-facing position lamp or lamps, or the dipped-beam headlamp or lamps.

Compare: SR 1976/227 [r 37\(4\), \(5\)](#)

Clause 8.7(3): amended, on 1 October 2007, by [clause 9](#) of the Land Transport (Road User) Amendment Rule 2007 (SR 2007/240).





# **DCC Consolidated Bylaw 1991**



# DCC Consolidated Bylaw 1991

[https://www.dunedin.govt.nz/data/assets/pdf\\_file/0005/358538/Roading.pdf](https://www.dunedin.govt.nz/data/assets/pdf_file/0005/358538/Roading.pdf)

Part 11 - Roothing

Part 13 – Traffic and Parking

## 11 ROADING

### 11.1 Interpretation

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### 11.3 The Council May Require Things to be Removed

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### 11.10 Street Numbers

### 11.11 Vehicle Crossings

### 11.12 Opening in Roads

Approved by Council: 30 June 2008

Date of Effect: 1 July 2008

## Roothing

## PART 11: ROADING

**11.1 Interpretation** - In this Bylaw, unless the context otherwise requires:

FOOTWAY means a path or way principally designed for or used by pedestrians, and includes any footbridge or grass berm.

ROAD includes, from boundary to boundary:

1. A street; and
2. A motorway; and
3. A beach; and
4. A place to which the public have access, whether as of right or not; and
5. All bridges, culverts, ferries, and fords forming part of a road or street or motorway, or a place referred to in paragraph (4); and
6. All sites at which vehicles may be weighed for the purposes of this Act or any other enactment

VEHICLE means any means of transport whatsoever which is equipped with wheels or revolving runners or tracks regardless of its means of motive power.

### 11.2 Things in Roads -

(1) No person shall without the consent of the Council or in accordance with the provisions of this Bylaw place or leave anything on any road other than a vehicle lawfully parked.

(2) Without limiting the generality of 11.2 (1) no person shall:

- (a) Leave on any road for any period greater than four hours any vehicle which is not in complete and working order; or
- (b) On any road construct or rebuild or repair or make alterations to any vehicle, except for repairs rendered necessary by reason of accident or breakdown; or

- (c) Display any article or articles whatsoever outside any shop, shop window, or doorway or in any other place so as to encroach on any road; or
- (d) Place, pack or unpack any goods on any road, or
- (e) Erect any scaffolding, fence or structure of any kind on or over any road; or
- (f) Use any hoist or crane on or above any road; or
- (g) Erect or install or cause to be erected or installed any gates or doors capable of being swung over or across any roads; or
- (h) Being a person in charge of a vehicle or machine permit any clay, gravel or other material to be carried on to any road; or
- (i) Permit or suffer anything to fall from any vehicle into the road, or having so fallen to remain in the road.

### **11.3 The Council may allow Things in Roads -**

- (1) The Council may grant to any person on such terms as it thinks fit permission for a specified thing or things to occupy a place or places in a road.
- (2) The Council may in granting permission under 11.3 (1) impose conditions on the grant of permission in relation to the health, safety and convenience of users of the road and for the protection of the road and for any other relevant matter. The Council may charge such fee as it may fix in respect of the grant of permission for the thing to occupy roads.
- (3) If a thing is left in the road in breach of conditions imposed pursuant to 11.3, or the fee payable under the clause has not been paid, the Council may require the thing to be removed.

### **11.4 The Council may require Things to be removed -**

Where any thing is on the road contrary to the provisions of 11.2 or 11.3 the Council may serve notice on the person who left the thing on the road or any other person who has any interest in or control over the thing requiring that the thing be removed within the period stated in the notice.

### **11.5 Activities that Damage Roads -**

- (1) No person shall undertake any activity that causes or may cause damage to any road.
- (2) Without limiting the generality 11.5 (1) no person shall:
  - (a) Mix any concrete or other material of any kind on the surface of any road.
  - (b) Cause or permit any concrete, mortar, or material of a similar nature to be swept, washed, hosed or sluiced into any road or into any drain connected with any part of the council's drainage or sewerage system.
  - (c) Use any vehicle whose wheels or tracks causes or may cause damage to the surface or any part of any road.
  - (d) Drag or trail anything whether on a sledge or skids or otherwise so as to damage any road.

### **11.6 Costs of Repair or Reinstatement -**

Without prejudice to any other remedy it may have where there has been any breach of this Bylaw which results in damage to any road the Council may undertake repairs to the road and recover the costs of and associated with the repair from the person causing the damage or from any person who has committed a breach of the Bylaw in connection with the damage.

### **11.7 Cellar Doors -**

- (1) The owner and occupiers of any building with cellar doors or windows whether opening or not or any similar structures in any road shall ensure that they are properly maintained and in a safe

condition at all times.

(2) All such doors, windows or other structures shall be used at all times in a manner that does not unnecessarily obstruct the use of the road by any persons or endanger any person using the road. The Council may at any time by notice in writing impose restrictions or conditions upon the use of any such door, window or other structure.

#### **11.8 Fences -**

(1) No barbed wire may be used in the construction of any fence within one metre of any road except at a height of not less than two metres above ground level or in any case where the Council is satisfied that the fence has been designed and constructed in a way that prevents any likelihood of injury to persons or damage to clothing through accidental contact with the barbed wire. This Clause shall not apply to any area zoned for rural purposes under the Council's District Plan except where the barbed wire is on a fence abutting a public footpath or a recreation reserve.

(2) No person shall construct or allow to remain on any property of which they are the owner or occupier:

(a) Any fence which is in breach of 11.8 (1); or

(b) Any fence which by reason of its design or state of repair is or may be a hazard for users of any road.

#### **11.9 Stock Droving**

(1) In any part of the city, other than those parts zoned for rural purposes under the Council's District Plan, no animal may be driven in any road, other than in a yoke or harness, unless the consent of the Council has been obtained. Any consent given by the Council may be limited by conditions as to the number of animals that may be permitted on the road and any other conditions reasonably necessary for the protection of the health, safety and convenience of users of the road and for the protection of the road.

(2) In any part of the city zoned for rural purposes, no animal, other than in a yoke or harness, may be on any road except for such periods and under such adequate control as is necessary for the protection of the road and the health, safety and convenience of users of the road.

#### **11.10 Road Numbers -**

(1) The owners and occupiers of all buildings shall ensure that they are marked with such number as the Council shall direct or approve. The number displayed on the building shall be such as to be clearly legible from the road.

(2) Where any building is not numbered or where the number is not sufficiently legible the Council may require, by notice in writing, that the building be numbered in accordance with this Bylaw within a period of 14 days.

#### **11.11 Vehicle Crossings -**

(1) No vehicle may be driven or ridden from a road to an adjacent property except by means of a vehicle crossing constructed for that purpose to the satisfaction of the Council.

(2) The owner or occupier of any premises wishing to have a vehicle crossing installed shall apply to the Council. The Council may require such information reasonably necessary for the proper consideration of the application.

(3) The Council may require that it be engaged to carry out the construction of any vehicle crossing or may require that the crossing be constructed by a contractor approved by it.

(4) All of the costs of and associated with the construction of vehicle

crossings shall be borne by the person applying for the vehicle crossing. Any crossing constructed shall be the property of the Council which on completion of the crossing shall, without prejudice to its rights to recover against any person for damage to the crossing, assume liability for the maintenance of the crossing. Such maintenance shall exclude any structures supporting the crossing or the adjacent land.

(5) Where a temporary vehicle crossing is required whether in connection with construction, repair or excavation work or otherwise such crossing shall not be constructed, laid in place or used unless and until the consent of the Council has been obtained. The Council may impose such conditions as it thinks fit on the design and use of temporary crossings and in particular having regard to the safety and convenience of users of the crossing and the road and the protection of the road.

#### **11.12 Opening in Roads**

(1) No opening may be made in any road whether to construct, repair or remove any service or for any other reason unless and until the consent of the Council has been obtained.

(2) The Council may require that it be engaged to carry out the work or any part of the work involved in the opening of the road and its reinstatement, or that the work be carried out by a contractor approved by it.

(3) All of the costs of and associated with the opening of any road shall be borne by the person applying for the permission to open the road.

(4) The Council may impose such conditions as it thinks fit on the opening of any road and in particular having regard to the safety and convenience of the users of the road and the protection of the road.

# **13 TRAFFIC AND PARKING**

[http://www.dunedin.govt.nz/\\_data/assets/pdf\\_file/0020/131753/Corporate-Traffic-and-Parking-Bylaw-2010-V250210.pdf](http://www.dunedin.govt.nz/_data/assets/pdf_file/0020/131753/Corporate-Traffic-and-Parking-Bylaw-2010-V250210.pdf)

## **13.1 General**

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## **13.24 Date Bylaw Made**

Approved by Council: 22 February 2010

Date of Effect: 1 March 2010

## **13.1 GENERAL**

### **13.1.1 Scope**

The purpose of this Bylaw is to set the requirements for parking and control of vehicular or other traffic on any road in Dunedin City including State Highways controlled by the New Zealand Transport Agency.

This Bylaw is made under the Local Government Act 1974, Local Government Act 2002 and Transport Act 1962.

### **13.1.2 Definitions**

For the purposes of this Bylaw the following definitions shall apply:

**AUTHORISED OFFICER.** Any person appointed or authorised in writing by the Chief Executive or by the Council to act on its behalf and with its authority including a Parking Warden appointed by the Council under the provisions of the Transport Act 1962, and an Enforcement Officer.

**AUTHORISED VEHICLES.** Are vehicles holding an Authorised Vehicle Permit which allows them to park in Authorised Vehicle Parking.

**AUTHORISED VEHICLE PARKING.** Any road or portion of a road or any area of land or any building owned or controlled by the Council which is available for Authorised Vehicles to park.

**AUTHORISED VEHICLE PERMIT.** A permit granted by the Council to allow the permit holder to park in Authorised Vehicle Parking specified in the permit.

**COUNCIL.** The Dunedin City Council or any officer authorised to exercise the authority of the Council.

**EMERGENCY VEHICLE.** Has the same meaning as in the Land Transport (Road User) Rule 2004.

**ENACTMENT.** Has the same meaning as section 29 of the Interpretation Act 1999.

**ENFORCEMENT OFFICER.** Has the same meaning as in the Land Transport (Road User) Rule 2004.

**FREIGHT CONTAINER.** An article of transport equipment that is:

- (a) Of a permanent character and strong enough to be suitable for repeated use;
- (b) Specifically designed to facilitate the transport of goods, by one or more modes of transport, without intermediate loading; and
- (c) Designed to be secured and readily handled having fittings for these purposes.

**HEAVY MOTOR VEHICLE.** Has the same meaning as in the Land Transport (Road User) Rule 2004.



METERED AREA. Any road or portion of a road or any area of land or any building owned or controlled by the Council which is authorised by Council to be used as a parking place and at which parking meters are installed and maintained.

METERED PARKING SPACE. Any part of a road or a space within a metered area or multiple space parking meter area indicated by and lying within markings made by the Council for parking of vehicles.

MULTIPLE SPACE PARKING METER. A parking meter which functions for more than one parking space.

OPERATION MOBILITY PARKING SPACE. A parking space set aside under 2.1(b) of this Bylaw for use by people who hold an Operation Mobility Permit.

OPERATION MOBILITY PERMIT. A permit or concession card issued by the New Zealand Crippled Children Society (CCS) Incorporated to persons with physical disabilities for the purpose of its operation mobility programme.

PARKING COUPON. A coupon pre-sold by Council which allows the date and time period of parking to be displayed.

PARKING METER. A single space parking meter or a multiple space parking meter or a pay and display parking meter (including the stand to which the parking meter is attached) installed under this Bylaw being an instrument designed for the purpose of, and including, a parking coupon:

- (a) Measuring and showing the period of time paid for or which remains to be used; or
- (b) Issuing a receipt showing the period of time paid for and accordingly which remains to be used.

PARKING PLACE. Has the same meaning as section 591(6) of the Local Government Act 1974.

PARKING WARDEN. A parking warden appointed under section 7 of the Transport Act 1962.

PASSENGER SERVICE VEHICLE. Has the same meaning as section 2(1) of the Land Transport Act 1998.

PAY AND DISPLAY PARKING METER. A parking meter designed for the purpose of issuing a receipt showing the date and time of payment of a fee, amount of fee paid, and the time which a vehicle may be parked within a metered area controlled by that pay and display parking meter.

RESIDENT. For any particular road subject to Residents Authorised Vehicle Parking, means a person who resides in a dwelling, apartment or other building which has its only or principal access to that particular road or which has such access in the vicinity of that road.

RESIDENTS' EXEMPTION PERMIT. A permit granted by the Council to eligible residents exempting the permit holder from any parking charges or time restrictions imposed on any place or area subject to parking restrictions.

ROAD. Has the same meaning as in the Land Transport Act 1998 and shall where the context requires include a street and does include State

Highways controlled by the New Zealand Transport Agency within the urban traffic area.

ROADWAY. That portion of the road used or able to be used for the time being for vehicular traffic in general.

SINGLE SPACE PARKING METER. A parking meter designed for the purpose of measuring and showing the time which a vehicle may be parked in a particular parking space.

SPECIAL VEHICLE LANE. Has the same meaning as in the Land Transport (Road User) Rule 2004.

TRAFFIC CONTROL DEVICE. Has the same meaning as Part 2 of the Land Transport rule: Traffic Control Devices 2004.

TRANSPORT STATION. Has the same meaning as section 591(6) of the Local Government Act 1974.

VEHICLE. Has the same meaning as in the Land Transport Act 1998.

ZONE PARKING. Has the same meaning as in Land Transport Rule: Traffic Control Devices 2004.

### **13.1.3 Interpretation**

When interpreting this Bylaw use the definitions set out in 1.2 unless the context requires otherwise. If you see a reference to a repealed enactment read that as a reference to its replacement.

For the purpose of this Bylaw, the word 'shall' refers to practices that are essential for compliance, while the word 'should' refers to practices that are advised or recommended.

## **13.2. INTRODUCTION**

**13.2.1** Under the Local Government Act 1974, the Local Government Act 2002 and the Transport Act 1962 the Dunedin City Council makes this Bylaw to:

- (a) Prohibit or otherwise restrict the stopping, standing, or parking of vehicles on any road or part of a road, or on any piece of land owned or controlled by the Council and not being a road, including any parking place or transport station;
- (b) Set aside, designate or reserve any road, part of a road, or any piece of land owned or controlled by the Council and not being a road or part of a road, as:
  - (i) Stopping places or stands for a specified class, classes or types of vehicle, including bus stops, taxi stands and loading zones;
  - (ii) Operation mobility parking spaces;
  - (iii) Parking places and zone parking;
  - (iv) Transport stations;
  - (v) Clearways;
  - (vi) Cycle lanes and cycle paths;
  - (vii) Reserved parking areas;
  - (viii) Authorised Vehicles parking;
  - (ix) Special vehicle lanes;
  - (x) One-way roads

- (c) Prohibit or restrict:
  - (i) U turns;
  - (ii) Left turns, right turns, or through movements;
  - (iii) Weights of vehicles or loads that may pass over bridges or culverts;
  - (iv) Any specified class of traffic, or any specified motor vehicle or class of motor vehicle which, by reason of its size or nature or the nature of the goods carried, is unsuitable for use on any road or roads;
  - (v) Parking of heavy motor vehicles or any specified class or description of heavy motor vehicles, on any specified road during such hours or exceeding such period as may be specified;
  - (vi) Use of roads by pedestrians;
  - (vii) Use of roads by cyclists.
- (d) Permit turning movements to be made only by:
  - (i) Passenger service vehicles;
  - (ii) Vehicles of other specified classes;
  - (iii) Vehicles carrying specified classes of loads or not less than a specified number of occupants.

**13.2.2** Any matter regulated under 2.1 may apply to a specified class, type, weight or description of vehicle, or any combination of these, and may be expressed or limited to apply only on specified days, or between specified times, or for any specified events or classes of events, or be limited to specified maximum periods of time.

**13.2.3** To give effect to any matter regulated under 2.1, the Council shall mark the roads and install signs in accordance with the Land Transport Rule: Traffic Control Devices 2004.

**13.2.4** The Council may amend this Bylaw in accordance with the Local Government Act 2002 to rescind, amend or vary any matter regulated under 2.1.

### **13.3. STOPPING, STANDING AND PARKING**

**13.3.1** No person shall stop, stand, or park a vehicle or vehicle combination on any road, public car park, reserve or any other public place in contravention of a restriction imposed by the Council and evidenced by appropriate signs and/or road markings. Notwithstanding the provisions of this subclause and subject to such conditions as appropriate in the circumstances and payment of the prescribed fee, the Council may authorise the stopping, standing or parking of specified vehicles.

**13.3.2** No person shall, without the prior written permission of the Council, park a vehicle or trailer displaying advertising or sales material on any road or part of a road, or any piece of land owned or controlled by the Council and not being a road or part of a road, including any parking place or transport station. This restriction includes vehicles and trailers displayed for sale, and mobile billboards.

- 13.3.3** Except with prior written permission of the Council, no person shall park a vehicle on a road or other land under the control or ownership of the Council, for any period exceeding seven days, if that vehicle cannot be easily moved on at the request of the Council.
- 13.3.4** No person shall park or place any machinery, equipment, materials, waste disposal bins or freight containers on any road or public place except with the permission of the Council and in accordance with any conditions that may be required. This clause does not apply to those containers that are used solely for the purpose of domestic refuse or recycling as authorised by the Council and placed off the roadway, provided that such containers are not left on any road or public place for a period exceeding 48 hours.
- 13.3.5** No person shall park any vehicle in a parking space which is already occupied by another vehicle. However, up to six motorcycles (including motorcycles with sidecars attached) but no other vehicle, may occupy any parking space at the same time, (and such motorcycles shall park at right angles to the kerb in the metered space).
- 13.3.6** No person shall repair, alter or add to a vehicle in the course of trade while the vehicle is on the road, unless necessary to enable the vehicle to be removed from the road.
- 13.3.7** No person shall stop, stand or park a vehicle or vehicle combination on a lawn, garden or other cultivation adjacent to, or forming part of, a road within an urban traffic area as defined in the Land Transport Rule: Setting of Speed Limits 2003, or any reserve.

#### **13.4. METERED AREAS, PARKING METER ZONES, AND ZONE PARKING**

- 13.4.1** The Council may from time to time resolve to:
  - (a) Declare any road or part of a road to be a metered area or zone parking;
  - (b) Declare any piece of land owned or controlled by the Council and not being a road or part of a road, including any parking place or transport station to be a metered area or zone parking;
  - (c) Declare the time allowed for parking in such metered areas and areas of zone parking beyond which it shall be unlawful to remain parked;
  - (d) Subject to section 150 of the Local Government Act 2002, fix the fees payable for the parking of vehicles within the metered area and areas of zone parking.
- 13.4.2** Parking meters or pay and display parking meters shall be located within the metered area and areas of zone parking that they are to control. Any pay and display parking meter shall issue a receipt on insertion of the prescribed fee in accordance with the instructions on the meter.
- 13.4.3** The receipt issued by a parking meter shall be displayed so as to be legible through the front window where fitted, or visible on the vehicle where no front window is fitted, on a motor vehicle parked in the parking area.
- 13.4.4** Metered parking spaces shall be indicated by white lines painted on the road in accordance with the Land Transport Rule: Traffic Control Devices

2004. Pay and display zones and areas of zone parking shall be indicated by signs in accordance with the Land Transport Rule: Traffic Control Devices 2004.

### **13.5. PARKING FEE TO BE PAID**

**13.5.1** No driver or person in charge of a vehicle shall park in a metered parking space or area of zone parking without having paid the appropriate fee and where required correctly activated the parking meter controlling the space, or in compliance with the instructions on the pay and display parking meter controlling the space.

**13.5.2** The driver or person in charge of a vehicle may occupy the metered parking space, provided that the appropriate fee has been paid and the maximum period for parking in that metered area is not exceeded.

**13.5.3** Where more than one motorcycle occupies a metered parking space it shall not be necessary for the payment of more than one parking fee. No such vehicle shall remain parked in the metered space after the time has expired and each motorcycle so parking is in breach of this Bylaw.

### **13.6. DISCONTINUED PARKING SPACE**

Where the Council is of the opinion that any metered parking space should be temporarily discontinued as a parking space, the Council may place or erect (or authorise the placing or erecting of) a sign, or notice showing, 'No Stopping' or a meter hood showing reserved parking at the affected metered parking space or spaces. It shall be unlawful for any person to park a vehicle in a metered parking space when a sign, notice or meter hood indicates that it is a reserved parking space, except with the permission of the Council.

### **13.7. INTERFERENCE WITH PARKING METERS OR PAY AND DISPLAY PARKING METERS**

Every person commits an offence against this Bylaw who misuses any parking meter or pay and display parking meter, or who interferes, tampers, or attempts to tamper with the working or operation of any parking meter or pay and display meter or who without Council authority affixes or attempts to affix anything, or to paint, write upon or disfigure any parking meter or pay and display parking meter.

### **13.8. COINS OF NEW ZEALAND CURRENCY ONLY**

A person paying at a parking meter or pay and display parking meter shall use only New Zealand currency.

### **13.9. UNLAWFUL PARKING**

**13.9.1** A person shall not park any vehicle or vehicle combination in a parking space except as permitted by the provisions of this Bylaw.

**13.9.2** No person shall park a vehicle or vehicle combination in a parking space so that any part of that vehicle extends beyond any line defining that space unless by reason of its size it may be necessary for the vehicle to extend onto an adjoining and unoccupied parking space. If the parking spaces occupied by the vehicle combination are metered parking spaces the driver shall be liable to pay a parking fee for each space so occupied.

**13.9.3** No person shall, if a parking meter or pay and display parking meter is not in operation, park in a metered space or pay and display area governed by that parking or pay and display parking meter for a period greater than the maximum indicated on that meter.

#### **13.10. OPERATION OF PARKING METERS OR PAY AND DISPLAY PARKING METERS**

No person shall operate or attempt to operate any parking meter or pay and display parking meter by any means other than as prescribed by this Bylaw.

#### **13.11. HOURS APPLICABLE TO PARKING METERS OR PAY AND DISPLAY PARKING METERS**

The hours during which payment of the fee for parking meters or pay and display parking meters is required shall be as prescribed by the Council in accordance with the Local Government Act 2002 and shall be indicated by signs or notices affixed to parking meters and pay and display parking meters.

#### **13.12. OPERATION MOBILITY PARKING**

Where the Council has reserved parking spaces as operation mobility parking spaces, the operation mobility permit shall be displayed so that it is legible through the front windscreen where fitted, or on the vehicle if no windscreen is fitted. The permit shall not be displayed if the parking space is not being used for the benefit of the permit holder.

#### **13.13. AUTHORISED VEHICLE PARKING**

**13.13.1** The Council may reserve any road or any portion of a road for the exclusive parking of Authorised Vehicles. Appropriate signs and markings shall be installed to define such areas.

**13.13.2** The Council may, in accordance with the Local Government Act 2002:

- (a) Impose conditions, and prescribe fees or charges, for use of Authorised Vehicle Parking;
- (b) Require an Authorised Vehicle Permit to be held for the use of Authorised Vehicle Parking;
- (c) Determine the road, or portion of a road, to be an Authorised Vehicle Parking area, or to provide that a road should cease to be an Authorised Vehicle Parking area;

**13.13.3** Where a permit is required to be held for the use of Authorised Vehicle Parking, residents' exemption parking area or other parking area:

- (a) The parking permit shall be displayed so as to be legible through the rear window where fitted, or visible on the vehicle where no rear window is fitted, on a motor vehicle stopped, standing, or parked in Authorised Vehicle Parking;
- (b) The permit shall identify the motor vehicle for which it has been issued. The permit applies only to the motor vehicle described in the permit;
- (c) The permit shall be returned to the Council immediately after the holder ceases to be entitled to the permit;
- (d) The permit is valid and effective only during the time specified on the permit and in the street or area specified on the permit.

**13.13.4** No person may park, stop or stand a motor vehicle in an Authorised Vehicle Parking area:

- (a) if the motor vehicle does not display a current Authorised Vehicle Permit valid for that vehicle; or
- (b) if the driver leaves the motor vehicle unattended for any period longer than that specified on the sign.

**13.13.5** The following classes of motor vehicle may park, stop, or stand in an Authorised Vehicle Parking area:

- (a) Vehicles operated by the Council or for the Council if necessary for the provision of, or maintenance of, facilities within the road reserve;
- (b) Vehicles operated by network utility operators if necessary for the provision of, or maintenance of, a network utility operation;
- (c) Vehicles driven by authorised officers (eg dog control officers, building inspectors) attending the property of a resident holding a residents' only exemption permit;
- (d) Vehicles being used to pick up or deliver goods to, or in connection with emergency maintenance of, the property of a resident holding a residents' only or residents' exemption permit;
- (e) Medical practitioners such as doctors, district nurses and midwives who are attending a patient.

#### **13.14. ONE-WAY ROADS**

**13.14.1** A person may only drive a vehicle or ride any horse or bicycle along the roads or parts of roads defined as a 'one-way road', in the direction specified.

**13.14.2** The Council may, in accordance with the Local Government Act 2002, provide for a road, or part of a road, to be a one-way road, or to provide that a road should cease to be used as a one-way road.

### **13.15. TURNING RESTRICTIONS**

The Council may impose turn controls and erect signage to control these including:

- (a) Vehicles on a roadway turning from facing or travelling in one direction to facing or travelling in the opposite direction (No 'U-turns');
- (b) Vehicles or specified classes of vehicles from turning to the right or to the left or from proceeding in any other direction.

### **13.16. HEAVY TRAFFIC PROHIBITIONS**

**13.16.1** No person shall drive or permit to be driven any heavy motor vehicle except a passenger service vehicle on or along any road where signage indicates restrictions, except for the purpose of picking up, or delivering goods to an address on those roads when alternative access is not available for this purpose.

**13.16.2** No person shall drive or permit to be driven or park any heavy motor vehicle or any specified class of heavy motor vehicle during such hours or exceeding such period as may be specified for the roads or public places except for the purposes of loading or unloading goods or passengers at any property whose access is by way of the road or public place.

**13.16.3** No stock shall be transported in heavy motor vehicles through urban areas except over the State Highway system.

**13.16.4** The prohibitions set out in 16.2 shall not apply to:

- (a) A network utility operator or its authorised agent or contractor engaged in the provision of, or maintenance of a network utility operation. (The expression 'network utility operator' has the same meaning given to it by section 166 of the Resource Management Act 1991);
- (b) Emergency vehicles, vehicle recovery services and trade-persons' vehicles.
- (c) Refuse collections carried out by either the local authority or a contractor engaged by the local authority;
- (d) Any other class of heavy vehicle the Council may exclude from the prohibitions in 16.2 in accordance with the Local Government Act 2002 and as identified on signs approaching the road to which the restriction applies.

**13.16.5** The Council may, in accordance with the Local Government Act 2002, prohibit any heavy traffic on any road or roads within the district or to remove a heavy traffic prohibition.

### **13.17. SPECIAL VEHICLE LANES**

**13.17.1** The Council may establish roads or parts of roads as 'special vehicle lanes'.



### **13.18. TURNING MOVEMENTS PERMITTED BY SPECIFIED CLASSES OF VEHICLES**

**13.18.1** Subject to the erection of the prescribed signs, turning movements by specified classes of vehicles may be permitted in some lanes.

### **13.19. WEIGHTS OF VEHICLES OR LOADS OVER BRIDGES OR CULVERTS**

**13.19.1** The Council may regulate the weights of vehicles or loads that may pass over bridges or culverts or provide that any such regulation be removed.

### **13.20. SCHEDULES OF RESTRICTIONS**

**13.20.1** The Council shall maintain schedules of:

Authorised Vehicle parking zones  
One-way streets  
Turning restrictions  
Heavy traffic prohibitions  
Special vehicle lanes  
Turning movements by specified classes of vehicles  
Weight restrictions.

**13.20.2** These schedules shall be made publicly available in both hard copy and electronic form.

### **13.21. OFFENCES AND PENALTIES**

**13.21.1** Without limiting clauses 1.6 and 1.9 of Part 1 *Introduction of the Dunedin City Consolidated Bylaw*, every person commits an offence against this Bylaw, and is liable on summary conviction to the penalty set out in the Local Government Act 2002, who:

- (a) Fails to comply in all respects with any prohibition, restriction, direction or requirement indicated by the lines, markings, traffic signs and other signs or notices laid down, placed, made or erected on or upon any road, public car park, reserve or other places controlled by the Council under any of the provisions of this Bylaw;
- (b) Fails to comply with any condition, duty, or obligation, imposed by this Bylaw.

**13.21.2** Nothing in 21.1 of this Bylaw applies to any offence of a kind referred to in Section 72(6A) of the Transport Act 1962.

**13.21.3** A person may not be subject to proceedings under 21.1 of this Bylaw, if that person is also, for the same facts, being proceeded against for a breach of the Land Transport Act 1998.

### **13.22. DEFENCES**

A person is not in breach of this Bylaw if that person proves that the act or omission complained of:

- (a) Took place in compliance with the directions of an enforcement officer, a parking warden or a traffic control device; or
- (b) Was performed by an enforcement officer or a parking warden and was necessary in the execution of that person's duty.

### **13.23. EXEMPTED VEHICLES**

**13.23.1** This Bylaw shall not apply to emergency vehicles being used in an emergency.

**13.23.2** Clause 3, 5, 6, 9 and 17 of this Bylaw shall not apply to medical practitioners such as doctors, district nurses and midwives who are attending an emergency.

### **13.24. DATE BYLAW MADE**

The common seal of the Dunedin City Council was attached, under resolution passed at a meeting of the Dunedin City Council held on 22 February 2010.

# **Transport**

## **(Vehicle and Driver Registration and Licensing )**

### **Act 1986**



# Transport (Vehicle and Driver Registration and Licensing ) Act 1986

[http://www.legislation.govt.nz/act/public/1986/0006/latest/whole.html#DL\\_M90420](http://www.legislation.govt.nz/act/public/1986/0006/latest/whole.html#DL_M90420)

Interpretation:

Part 1 Section 5 and Section 17:

## 2 Interpretation

- (1) In this Act, unless the context otherwise requires,—  
**articulated vehicle** means any motor vehicle with a semi-trailer attached so that part of the trailer is superimposed upon the motor vehicle and a substantial part of the weight of the trailer and of its load is borne by the motor vehicle  
**design**, in relation to a motor vehicle, refers to the construction of the motor vehicle, and not its use or intended use; and **designed** has a corresponding meaning  
**driver**, in relation to any vehicle, includes the rider of a motor cycle or moped; and **drive** has a corresponding meaning  
**duplicate**, in relation to any original certificate issued under this Act, includes a document that is a substitute or replacement for that certificate  
**goods-service vehicle** means a motor vehicle designed exclusively or principally for the carriage of goods (including animals and mails) but does not include a tractor  
**gross weight**, in relation to any vehicle or combination of vehicles, means the weight of the vehicle or of the vehicles comprising the combination, together with the load for the time being carried by the vehicle or vehicles, including any equipment and accessories  
provided that for the purposes of this Act and of any regulations under this Act, and without limiting the methods by which the gross weight of a vehicle may be determined, the gross weight of a vehicle may be determined by adding the weight on its axles or groups of axles:  
**heavy-motor vehicle** means a motor vehicle (other than a motorcar that is not used, kept, or available for the carriage of passengers for hire or reward) the gross weight of which exceeds 3 500 kilograms  
**Minister** means the Minister of Transport  
**mobility device** has the same meaning as in [section 2\(1\)](#) of the Land Transport Act 1998  
**moped** means a motor vehicle running on 2 or 3 wheels that is fitted with a motor having a power output not exceeding 2 kilowatts and is designed to be ridden at a speed not exceeding 50 kilometres per hour under normal conditions of use  
**motorcar** means a motor vehicle (other than a motor cycle or moped) designed exclusively or principally for the carriage of persons not exceeding 9

in number inclusive of the driver; and includes a motor vehicle which is designed principally for the carriage of passengers but which has rear doors and collapsible rear seats

**motor cycle** means a motor vehicle running on 2 wheels, or not more than 3 wheels when fitted with a sidecar; and includes any vehicle with motor cycle controls declared by the Secretary to be a motor cycle; but does not include a moped

**motor vehicle** means a vehicle drawn or propelled by mechanical power; and includes a trailer, but does not include—

- (a) a vehicle running on rails; or
- (b) *[Repealed]*
- (c) a trailer (not being a trailer designed solely for the carriage of goods) that is designed and used exclusively as part of the armament of any of Her Majesty's Forces; or
- (d) a trailer running on 1 wheel and designed exclusively as a speed measuring device or for testing the wear of vehicle tyres; or
- (e) a vehicle designed for amusement purposes and used exclusively within a place of recreation, amusement, or entertainment to which the public does not have access with motor vehicles; or
- (f) a pedestrian-controlled machine designed to perform some mechanical operation and not designed for the carriage of persons or goods; or
- (g) a pedestrian-controlled forklift; or
- (h) a vehicle that the Agency has declared is not a motor vehicle under [section 168A](#) of the Land Transport Act 1998; or
- (i) a mobility device

**owner**, in relation to a motor vehicle, means the person lawfully entitled to possession of the motor vehicle, except where—

- (a) the motor vehicle is subject to a bailment that is for a period not exceeding 28 days; or
- (b) the motor vehicle is let on hire pursuant to the terms of a rental-service licence—

in which case **owner** means the person who, but for the bailment or letting on hire, would be lawfully entitled to possession of the motor vehicle

**prescribed fees** means the applicable fees and charges prescribed for the purposes of [Part 1](#) of this Act by regulations made under the [Land Transport Act 1998](#)

**Registrar** means the person appointed by the Minister to be the Registrar of Motor Vehicles, and includes, where appropriate,—

- (a) any person to whom the Registrar has delegated any of the powers, duties, or functions of the Registrar under this Act;
- (b) any person for the time being authorised by the Registrar to perform any specified function of the Registrar under this Act

**registration plate** means any registration plate issued under the [Transport Act 1962](#) or this Act

**road** includes a street; and also includes any place to which the public have access, whether as of right or not; and also includes all bridges, culverts, ferries, and fords forming part of any road, street, or place to which the public have access

**sale**, in relation to any motor vehicle, includes disposition by way of hire-purchase; and **sell**, **seller**, and **purchaser** have corresponding meanings

**Secretary** means the chief executive of the Ministry of Transport

**taxicab** means a motor vehicle—

- (a) designed principally for the carriage of persons not exceeding 8 in number, inclusive of the driver; and
- (b) used for hire or reward for the carriage of passengers otherwise than on defined routes; and
- (c) available for hire to any member of the public:

**traction engine** means a motor vehicle that is—

- (a) propelled by steam power; and
- (b) designed for use on roads; and
- (c) not designed for the carriage of goods or persons other than the driver:

**tractor** means a motor vehicle (not being a traction engine) designed principally for traction at speeds not exceeding 50 kilometres an hour

**trade plate** means a trade plate issued under [section 22](#) of the Transport Act 1962 or [section 34](#) of this Act

**traffic officer** means an enforcement officer under the [Land Transport Act 1998](#)

**trailer** means a vehicle without motive power that is capable of being drawn or propelled by a motor vehicle from which it is readily detachable; but does not include—

- (a) a sidecar attached to a motor cycle; or
- (b) a vehicle normally propelled by mechanical power while it is being temporarily towed without the use of its own power:

**trolley omnibus** means an electrically propelled passenger-service vehicle that normally derives its power from an external source

**use**, in relation to a vehicle, includes driving, drawing, or propelling by means of another vehicle, and permitting to be on any road; and **to use** and **user** have corresponding meanings

**vehicle** means a contrivance equipped with wheels, tracks, or revolving runners upon which it moves or is moved; but does not include—

- (a) a perambulator or pushchair:
- (b) a shopping or sporting trundler not propelled by mechanical power:
- (c) a wheelbarrow or hand-trolley:
- (d) *[Repealed]*
- (e) a pedestrian-controlled lawnmower:
- (f) a pedestrian-controlled agricultural machine not propelled by mechanical power:
- (g) an article of furniture:
- (h) a wheel-chair not propelled by mechanical power.

## Section 5

### Motor vehicles to be registered and licensed

- (1) Except as otherwise provided in this Act, no person shall use any motor vehicle on any road unless—
  - (a) the motor vehicle is registered in accordance with this Part of this Act; and
  - (b) the registration plates and a current licence issued for that vehicle are affixed and displayed on the vehicle in the manner prescribed in any notice made under [section 14](#) of this Act; and
  - (c) the full amount of the appropriate levies payable under [section 214](#) of the Injury Prevention, Rehabilitation, and Compensation Act 2001 in respect of the period for which the licence is issued has been paid.

(1A) Once a motor vehicle is registered in accordance with this Part then, except as otherwise provided in this Act or in regulations made under [section 35A\(1\)\(a\)](#),—

- (a) the owner of the vehicle must keep the vehicle licensed at all times under this Part; and
- (b) the fees payable in respect of such licensing are payable as if the vehicle is at all times required to be licensed (whether or not it is actually licensed).

(2) Every person who uses any motor vehicle or permits any motor vehicle to be used in contravention of subsection (1) of this section commits an offence and is liable on summary conviction to a fine not exceeding \$1,000.

(2A) Every person commits an offence and is liable on summary conviction to a fine not exceeding \$5,000 who sells an unlicensed motor vehicle that is required to be licensed under this Part of this Act.

(3) Where any person is charged with an offence of using or permitting a motor vehicle to be used in contravention of subsection (1)(b) of this section that relates to a licence, it shall be a defence if the defendant satisfies the Court that—

- (a) at the time of the alleged offence a licence for the motor vehicle that expired not more than 7 days previously was affixed and displayed in the prescribed manner; and
- (b) before the expiry of that licence an application for a licence for the motor vehicle for a period including the day of the alleged offence together with the appropriate fee and accident compensation levy had been forwarded to the Registrar; and
- (c) the licence had not been received from the Registrar.

(4) The fact that any motor vehicle is used on any road without having registration plates or a current licence issued for that vehicle, or both, affixed and displayed in the prescribed manner shall, in the absence of evidence to the contrary, be sufficient evidence that the vehicle is not



registered or is not licensed, or both, as the case may be, in accordance with this Part of this Act.

(5) Every motor vehicle registered under the [Transport Act 1962](#) or any corresponding former Act is hereby deemed to have been registered under this Act.

Section 5(1)(c): substituted, on 1 April 2002, by [section 337\(1\)](#) of the Injury Prevention, Rehabilitation, and Compensation Act 2001 (2001 No 49).

Section 5(1A): inserted, on 1 September 1997, by [section 3\(1\)](#) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1997 (1997 No 2).

Section 5(2): amended, on 5 November 1993, by section 3(2) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

Section 5(2A): inserted, on 30 October 1995, by section 3(3) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1992 (1992 No 110).

## Section 17

### Unauthorised, deceptive, or obscured registration plates or unauthorised licence

- Every person commits an offence and is liable on summary conviction to a fine not exceeding \$500 who—
  - (a) uses any motor vehicle on which the appropriate registration plate or plates or licence is not displayed in the manner prescribed by the Minister under [section 14](#) of this Act; or
  - (b) uses any vehicle on which is displayed any object or design that is intended to cause, or reasonably likely to cause, any person to believe that there is displayed on the vehicle the appropriate registration plate or plates or licence prescribed by the Minister under [section 14](#) of this Act; or
  - (c) affixes or causes to be affixed to any motor vehicle any licence not being a current licence issued for the motor vehicle, or a licence issued for that vehicle that is to come into force within the next month; or
  - (d) uses any motor vehicle while any registration plate or licence affixed to the motor vehicle in accordance with this Part of this Act is in any way obscured, or is rendered or allowed to become not easily distinguishable, whether by night or by day; or
  - (e) uses any motor vehicle which has affixed to it any registration plate or licence which is not authorised by or under this Act to be affixed to that vehicle or any other item which in either case is likely to be mistaken for any authorised registration plate or licence; or
- (f) uses any motor vehicle which has affixed to it any licence not being a current licence issued for that motor vehicle or a licence issued for that vehicle that is to come into force within the next month.



# **Local Government Act 2002**

**(including Local Government Act  
1974 provisions still in force)**



# Local Government Act 2002 ( including Local Government Act 1974 provisions still in force)

<http://www.legislation.govt.nz/act/public/1974/0066/latest/DLM415532.html>

Section 356 and 356A – Right to remove abandoned vehicles

## **356 Removal of abandoned vehicles from roads**

(1) This section applies where any category A or category B or category C motor vehicle is found on a road within the district of any council and appears to have been abandoned by its owner.

(2) In the case of a category A or category B vehicle, the following provisions shall apply:

(a) the council may, or may authorise any person to, remove the vehicle and store it:

(b) no person shall remove the vehicle until a constable has been notified of the proposal to move it:

(c) the council shall make reasonable efforts to give notice to the person last registered under [Part 17](#) of the Land Transport Act 1998 in respect of the vehicle of its intention to sell the vehicle, and those efforts shall include,—

(i) in the case of a category A vehicle, taking practical steps to identify the owner of the vehicle by reference to chassis numbers or other numbers appearing on the vehicle:

(ii) in the case of a category B vehicle, identifying the owner of the vehicle by reference to such numbers and by searching the motor vehicle security register or otherwise:

(d) after making reasonable efforts to give notice under paragraph (c), the council may give not less than 10 working days' notice, by advertisement in 2 issues of a daily newspaper circulating in the district in which the road is situated, of its intention to sell the vehicle, but if the council is satisfied that the condition of the vehicle is such that it is of little or no value, it may dispense with the giving of such notice:

(e) at any time after the expiration of a notice given in accordance with paragraph (d) or at any time after the giving of such notice has been dispensed with under that paragraph, the council may sell or otherwise dispose of the vehicle to any person or otherwise dispose of the vehicle in such manner as the council thinks fit, and any person to whom such a vehicle is sold or disposed of shall thereupon become the lawful owner of the vehicle:

(f) the advertisement under paragraph (d) shall specify the following:

(i) a description of the make, model, and colour of the vehicle:

(ii) the chassis numbers and any other vehicle numbers (if known):

(iii) the location from which the vehicle was removed:

(g) the proceeds of any such sale shall be applied in payment of the costs and charges attending the sale, including the advertisement under paragraph (d), and of the expenses of the removal and storage of the motor vehicle, and the residue, if any, shall be payable to the former owner of the vehicle:

(h) where any motor vehicle is removed under this subsection, the owner shall be liable to pay to the council all expenses incurred by the council in removing and storing the vehicle, and, where the vehicle is claimed by the owner and not sold or otherwise disposed of pursuant to this subsection, those expenses shall be payable before the owner takes delivery of the vehicle.

(3) In the case of a category C vehicle, the provisions of subsection (2) shall apply with the following modifications:

(a) the notice specified in paragraph (d) of that subsection shall not be given unless the vehicle has been stored for a period of 1 month and reasonable efforts to locate the person last registered under [Part 17](#) of the Land Transport Act 1998 in respect of the vehicle have been made by the council:

(b) in addition to specifying the matters set out in paragraph (f) of that subsection, the notice shall specify the name of the person currently registered under [Part 17](#) of the Land Transport Act 1998 in respect of the vehicle and the last known address of that person:

(c) paragraph (c) of that subsection shall apply as if the vehicle were a category B vehicle.

(4) If, after a search of the motor vehicle security register in accordance with subsection (2)(c)(ii) or subsection (3)(c), it is found that the vehicle is subject to a registered security interest, the council shall, before selling or otherwise disposing of the vehicle, notify the holder of that interest of its intention to sell or otherwise dispose of the vehicle.

(5) For the purposes of this section,—

(a) a **category A vehicle** is a motor vehicle that has neither a number plate nor a current licence label affixed to the vehicle:

(b) a **category B vehicle** is a motor vehicle that has affixed to it either a number plate or a current licence label (but not both):

(c) a **category C vehicle** is a motor vehicle that has affixed to it either—

(i) a number plate and a current licence label; or

(ii) a number plate and a licence label that expired not more than 6 months before the council took possession of the vehicle.

(6) For the purposes of this section, **council**, in relation to a State highway that is under the control of the New Zealand Transport Agency, means the New Zealand Transport Agency.

(7) Nothing in this section limits or affects anything in [section 239](#) of the Public Works Act 1981.

Section 356: replaced, on 1 April 1993, by section 2(1) of the Local Government Amendment Act (No 3) 1992 (1992 No 113).

Section 356(2)(a): amended, on 28 June 2006, by [section 4\(1\)](#) of the Local Government Act 1974 Amendment Act 2006 (2006 No 27).

Section 356(2)(b): amended, on 1 October 2008, pursuant to [section 116\(a\)\(ii\)](#) of the Policing Act 2008 (2008 No 72).

Section 356(2)(b): amended, on 28 June 2006, by [section 4\(2\)](#) of the Local Government Act 1974 Amendment Act 2006 (2006 No 27).

Section 356(2)(c): amended, on 1 May 2011, by [section 35\(4\)](#) of the Land Transport Amendment Act 2009 (2009 No 17).

Section 356(2)(h): amended, on 28 June 2006, by [section 4\(3\)](#) of the Local Government Act 1974 Amendment Act 2006 (2006 No 27).

Section 356(3)(a): amended, on 1 May 2011, by [section 35\(4\)](#) of the Land Transport Amendment Act 2009 (2009 No 17).

Section 356(3)(b): amended, on 1 May 2011, by [section 35\(4\)](#) of the Land Transport Amendment Act 2009 (2009 No 17).

Section 356(6): amended, on 1 August 2008, by [section 50\(1\)](#) of the Land Transport Management Amendment Act 2008 (2008 No 47).

### **356A Further provision in relation to removal of vehicles from roads**

(1) This section applies in relation to a motor vehicle if—

(a) the vehicle is found on a road or in a public place within a territorial authority's district; and

(b) the vehicle has—

(i) an evidence of vehicle inspection and a licence label affixed to it, but each document has expired by more than 31 days; or

(ii) an evidence of vehicle inspection affixed to it that has expired by more than 31 days and no licence label affixed to it; or

(iii) a licence label affixed to it that has expired by more than 31 days and no evidence of vehicle inspection affixed to it; or

(iv) neither an evidence of vehicle inspection nor a licence label affixed to it.

(2) The territorial authority—

(a) may, or may authorise any person to, remove the vehicle; and

(b) if it does so, must—

(i) store it for 10 days (the **10-day period**); and

(ii) during that time, make reasonable efforts to notify the person last registered under [Part 17](#) of the Land Transport Act 1998 in respect of the vehicle—

(A) that it has removed the vehicle; and

(B) that the vehicle is in storage; and

(C) of the territorial authority's powers under subsection (7).

(3) However, if the territorial authority is satisfied that the condition of the vehicle is such that it is of little or no value, it may dispose of the vehicle without complying with subsection (2)(b).

(4) A vehicle must not be removed under this section until a constable has been notified of the proposed removal.

(5) If a vehicle is claimed by any person lawfully entitled to it before the end of the 10-day period, the territorial authority must release the vehicle to the person.

(6) Subsection (5) applies only if any costs incurred by the territorial authority for removing and storing the vehicle are first paid.

(7) If a vehicle is not claimed under subsection (5), the territorial authority may—

(a) dispose of it (by sale or otherwise) at any time after the 10-day period has expired; and

(b) recover from the person last registered under [Part 17](#) of the Land Transport Act 1998 in respect of the vehicle any costs incurred by the territorial authority as a result of removing, storing, and disposing of the vehicle (less any amount received on the disposal of it).

(8) A territorial authority may retain any proceeds from the disposal of a vehicle under this section that—

(a) are not claimed by the person who owned the vehicle at the time it was disposed of within 12 months of the vehicle's disposal; and

(b) are in addition to any costs incurred by the territorial authority for removing, storing, and disposing of the vehicle.



(9) Any person to whom a vehicle is disposed of under this section becomes the lawful owner of the vehicle.

(10) Nothing in this section limits or affects anything in [section 239](#) of the Public Works Act 1981.

(11) For the purposes of this section,—

**evidence of vehicle inspection** has the meaning given to it in [section 2\(1\)](#) of the Land Transport Act 1998

**public place** means a place that is—

(a) under the control of the territorial authority; and

(b) open to, or being used by, the public, whether or not there is a charge for admission

**territorial authority**, in relation to a State highway that is under the control of the New Zealand Transport Agency, means the New Zealand Transport Agency.

Section 356A: inserted, on 28 June 2006, by [section 5](#) of the Local Government Act 1974 Amendment Act 2006 (2006 No 27).

Section 356A(2)(b)(ii): amended, on 1 May 2011, by [section 35\(4\)](#) of the Land Transport Amendment Act 2009 (2009 No 17).

Section 356A(4): amended, on 1 October 2008, pursuant to [section 116\(a\)\(ii\)](#) of the Policing Act 2008 (2008 No 72).

Section 356A(7)(b): amended, on 1 May 2011, by [section 35\(4\)](#) of the Land Transport Amendment Act 2009 (2009 No 17).

Section 356A(11) **territorial authority**: amended, on 1 August 2008, by [section 50\(1\)](#) of the Land Transport Management Amendment Act 2008 (2008 No 47).



# **Land Transport (Offences and Penalties) Regulations 1999**



# Land Transport (Offences and Penalties) Regulations 1999

[Land Transport \(Offences and Penalties\) Regulations 1999 \(SR 1999/99\) \(as at 08 July 2015\) Contents – New Zealand Legislation](#)

## Part 1 Offences parking wardens may enforce

Schedule 1B Part 1: substituted, on 10 May 2011, by [section 100\(3\)](#) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Infringement offence	Infringement fee
1 Any parking offence involving parking on a road in breach of a local authority bylaw, in excess of a period fixed by a meter or otherwise, where the excess time is—	
not more than 30 minutes	\$12 or such lesser amount as is fixed by the local authority
more than 30 minutes but not more than 1 hour	\$15 or such lesser amount as is fixed by the local authority
more than 1 hour but not more than 2 hours	\$21 or such lesser amount as is fixed by the local authority
more than 2 hours but not more than 4 hours	\$30 or such lesser amount as is fixed by the local authority
more than 4 hours but not more than 6 hours	\$42 or such lesser amount as is fixed by the local authority
more than 6 hours	\$57 or such lesser amount as is fixed by the local authority
2 Parking on or within 6 metres of an intersection	\$60
3 Parking on or near a pedestrian crossing	\$60
4 Parking on broken yellow lines	\$60
5 Double parking	\$60
6 Inconsiderate parking	\$60
7 Parking on a clearway	\$60
8 Parking on a bus-only lane	\$60
9 All other parking offences	\$40

*Towage fee:* If expenses are incurred by an enforcement authority in respect of the movement or proposed movement under [section 113\(2\)\(c\)](#) or 128E of the Act of the

**Infringement offence****Infringement fee**

vehicle involved in the offence (whether or not the vehicle is in fact moved), the infringement fee is the total of the amount specified above in respect of the offence and the amount of the appropriate towage fee (including any goods and services tax payable in respect of the towage fee).

# **Land Transport Rule Traffic Control Devices 2004 Rule 54002**





# Land Transport Rule Traffic Control Devices 2004 Rule 54002

<https://www.nzta.govt.nz/resources/rules/traffic-control-devices-2004/>

Objective:

Section 12: Stopping, Standing and Parking

Part 2 Definitions:

## Objective of the rule

**Land Transport Rule: Traffic Control Devices 2004** specifies the requirements for the design, construction, installation, operation and maintenance of traffic control devices, and sets out the functions and responsibilities of road controlling authorities in providing traffic control devices to give effect to their decisions on the control of traffic.

This rule clarifies, consolidates and rationalises the existing requirements for traffic control devices. It addresses the risks to land transport safety arising from the use of traffic control devices.

The objective of the rule is to contribute to a safe and efficient road network by ensuring that traffic is controlled by means of traffic control devices that are safe, appropriate, effective and uniform and are applied in a consistent manner.

The purpose of this rule is to contribute to the safe and efficient operation of our road network by:

- - requiring uniformity in the form, appearance and placement of traffic control devices;
- - establishing minimum standards for traffic control devices;
- - specifying who may authorise and install traffic control devices;
- - ensuring that road controlling authorities have regard to safe practice in the design and installation of traffic control devices and how they are used for traffic management.

The rule states who is responsible for ensuring compliance with its requirements: road controlling authorities, rail operators, operators of hand-held 'Stop' signs, school patrols and all other road users.

## **Section 12    Stopping, standing and parking**

### **12.1    Requirement to indicate prohibition on stopping**

12.1(1)    If a road controlling authority prohibits, at all times, the stopping of vehicles on a section of road it must advise road users of this by the means specified in [12.2\(1\)](#) or [12.2\(2\)](#).

12.1(2)    If a road controlling authority prohibits the stopping of vehicles on a section of road for a specified period or periods, it must advise road users of this by the means specified in [12.2\(2\)](#).

12.1(3)    If a road controlling authority considers it necessary to draw the attention of road users to a prohibition, under any enactment, on the stopping of vehicles on a section of roadway or road, it must do so by the means specified in [12.2\(1\)](#) or [12.2\(2\)](#).

12.1(4)    If a road controlling authority prohibits the stopping of vehicles on a section of road to provide an additional traffic lane or ensure the free-flowing movement of traffic in the adjacent lane, it must do so by the means specified in [12.2\(3\)](#).

12.1(5)    If a road controlling authority prohibits the stopping of vehicles on a section of road by setting aside a specific area of roadway for a special vehicle lane, it must do so by the means specified in [11.2](#).

12.1(6)    If a road controlling authority conditionally prohibits the stopping of vehicles on a section of road to ensure access to a fire hydrant, it must do so by the means specified in [12.2\(5\)](#).

### **12.2    Means of indicating prohibition on stopping**

12.2(1)    A prohibition on stopping may be indicated by marking a broken yellow line that:

- (a) must be not less than 100 mm wide;
- (b) consists of painted strips not longer than 1 m and separated by gaps not longer than 2 m;
- (c) if there is a kerb, is not more than 1 m from the adjacent kerb of the roadway to indicate that the stopping of vehicles is prohibited on that side of the roadway;
- (d) if there is no kerb, is located to indicate that the stopping of vehicles is prohibited if any part of a vehicle stopped on that side of the road is closer to the centre of the road than the broken yellow line.

12.2(2)    A prohibition on stopping may be indicated by installing 'No Stopping' signs (with arrows or supplementary notices, as appropriate, to define the area and time of application):

- (a) at right angles to the roadway (or in a way that clearly indicates the area of the road to which the restriction applies between any two signs), facing in the

direction in which traffic on the side of the roadway in which the sign is installed is approaching the sign; and

- (b) at a distance between any two signs of not more than 100 m, or 500 m on a road on which a speed limit exceeding 70 km/h is set.

12.2(3) A prohibition on stopping may be indicated by installing 'Clearway' signs (with supplementary notices, as appropriate, to define the area and time of application):

- (a) at right angles to the roadway facing in the direction in which traffic on the side of the roadway in which the sign is erected is approaching the sign; and
- (b) that apply to the roadway past the sign in the direction in which that traffic is travelling as far as the next intersection on the same side of the road as the sign or the next 'Clearway' sign on that side, whichever is the nearer; and
- (c) at distances of not more than 100 m between any two signs.

12.2(4) A prohibition on stopping may be indicated by installing a special vehicle lane in accordance with [11.2](#).

12.2(5) A road controlling authority may ensure access to a fire hydrant by marking a roadway in accordance with *NZS4509: 2003 Code of Practice for New Zealand Firefighting Water Supplies*.

### **12.3 Requirement to indicate restriction on parking**

If a road controlling authority imposes a restriction on the parking of vehicles it must instruct road users by the means specified in [12.4](#).

### **12.4 Types and means of indicating parking restrictions**

#### **Parking at an angle to the roadway**

12.4(1) If a road controlling authority restricts vehicles to parking only at an angle to the direction of the roadway, the road controlling authority must:

- (a) unless the road surface makes it impracticable, indicate this by marking parallel lines to indicate the allowed angle of parking and may install suitable signs with arrows to denote the extent of the restricted area; or
- (b) if the road surface makes it impracticable to mark the road, install suitable signs with arrows to denote the extent of the restricted area.

#### **Loading zone**

12.4(2) A road controlling authority may restrict the parking of vehicles by designating an area of road as a loading zone to which a time restriction may also apply.

12.4(3) A road controlling authority must provide, in accordance with [12.5](#), signs that comply with [Schedule 1](#), and that specify the class of vehicle, class of road user or designated activity to which the loading zone is restricted.

12.4(4) Except as provided in [12.4\(5\)](#), a road controlling authority must, unless this is impracticable, indicate a loading zone by marking:

- (a) where the parking area is intended for parking parallel to the edge of the roadway:
  - (i) a continuous yellow line at right angles to the kerb or roadway edge at each end of the area of the roadway; and
  - (ii) a broken or continuous yellow line parallel to the kerb or roadway edge, not less than 2 m and not more than 3 m from the kerb or roadway edge; or
- (b) where the parking area is intended for parking at an angle, a continuous yellow line on the left and right side of each parking space within the loading zone.

12.4(5) A marking is not required for a bus stop unless the space reserved for a bus extends more than 6 m on either side of a single 'Bus Stop' sign.

### **Reserved parking**

12.4(6) A road controlling authority may restrict the parking of vehicles by designating an area of road for reserved parking, which may be time restricted.

12.4(7) A road controlling authority must indicate a reserved parking area by providing, in accordance with [12.5](#), appropriate signs that comply with [Schedule 1](#), and which must specify the class of vehicle, class of road user or designated activity to which the reserved parking area is restricted.

12.4(8) A road controlling authority must, unless this is impracticable, mark a reserved parking area:

- (a) where the parking area is intended for parking parallel to the edge of the roadway by:
  - (i) a continuous yellow line at right angles to the kerb or roadway edge at each end of the area of the roadway; and
  - (ii) a broken or continuous yellow line parallel to the kerb or roadway edge, not less than 2 m nor more than 3 m from the kerb or roadway edge; or
- (b) where the parking area is intended for parking at an angle, a continuous yellow line on the left and right side of each parking space within the reserved parking area.

12.4(9) A road controlling authority may mark, on an area of roadway that is reserved for parking by a specified class of vehicle or road user, or for a specified

purpose, letters or symbols that describe the area reserved for parking and that comply with [Schedule 2](#).

### **Time-restricted parking**

12.4(10) A road controlling authority may restrict the parking of vehicles by designating an area of road to be time-restricted.

12.4(11) A road controlling authority must indicate a time-restricted parking area by providing, in accordance with [12.5](#), appropriate signs that comply with [Schedule 1](#), and which must specify the time limit to which parking in the area is restricted.

12.4(12) A road controlling authority may mark a time-restricted parking area that complies with [Schedule 2](#).

### **Zone parking**

12.4(13) A road controlling authority may restrict the parking of vehicles by designating a zone parking area, which is a defined area of roadway where parking is permitted or prohibited for a specified class or classes of vehicle or class or classes of road user (with or without a time restriction).

12.4(14) A road controlling authority must indicate a zone parking area by providing zone parking control notification signs and supplementary zone parking signs that comply with [Schedule 1](#), and that must be:

- (a) installed at each entry point to the zone to which the zone parking control applies, and at each exit point from the zone;
- (b) provided at distances of not more than 100 m between any two signs;
- (c) installed on either side of an area within the zone marked by any of the parking signs specified in [Schedule 1](#);
- (d) placed as close as practicable to the roadway facing the direction in which road users, on the side of the roadway on which the signs are installed, are approaching the signs.

## **12.5 General requirements for signing parking restrictions**

12.5(1) Except as provided in [12.5\(3\)](#), a road controlling authority must indicate a parking restriction, other than a zone parking restriction in [12.4\(14\)](#), by providing parking signs, as specified in [Schedule 1](#) and, if appropriate, with arrows or supplementary notices, defining their area or time of application:

- (a) at each end of the section of roadway affected; and

- (b) at or near both sides of any intervening intersection; and
- (c) at distances of not more than 100 m between any two signs.

12.5(2) Arrows, or signs incorporating arrows, to indicate the direction of application of a sign must be installed parallel to, or at an angle of not more than 45 degrees from, the side of the roadway to which they relate.

12.5(3) A road controlling authority does not have to provide signs to indicate a restriction on parking, or the extent of the restriction, if parking is controlled by parking meters that are located at, or adjacent to, each parking space.

## **12.6 Application of parking signs**

12.6(1) A parking restriction that is indicated by a sign incorporating the letter 'P' on the top of the sign, or that relates to a loading zone, applies between the hours of 8 am and 6 pm on days other than public holidays, unless otherwise specified on the sign or on a supplementary sign.

12.6(2) The expression 'other times', or an expression that has a similar effect, on a parking sign means that the restriction applies only during the time specified, but does not apply during the times specified by an immediately adjacent sign that notifies a different time restriction.

12.6(3) Parking signs, other than those in [12.6\(1\)](#) and [12.6\(2\)](#), apply at all hours of the day and night, unless a time period is specified on the sign.

12.6(4) Not more than two parking signs, or three parking signs provided one of them is a 'Clearway' or special vehicle lane sign, or one parking sign and one pedestrian sign, may be erected on the same pole or in the same location on the same building, wall or fence.

## **12.7 General requirements for marking parking restrictions**

If a road controlling authority marks an area to indicate parking spaces or the angle at which vehicles must park, those markings must be white, except if the area is a loading zone or reserved parking, for which the markings must be yellow.

## **Part 2 Definitions**

### **Act**

means the *Land Transport Act 1998*.

### **Barrier**

means a traffic control device that is intended to prevent or discourage a vehicle from moving out of the section of roadway on which it is travelling.

### **Bollard**

means a short post installed in the road, especially as part of a traffic island.

### **Bus**

means a passenger service vehicle that has more than nine seating positions (including the driver's seating position).

### **Bus lane**

means a lane reserved by a marking or sign installed at the start of the lane and at each point at which the lane resumes after an intersection, for the use of:

- (a) buses; and
- (b) cycles and motorcycles, unless either or both are specifically excluded by the signs.

### **Centre-line**

- (a) in relation to any portion of a roadway not marked with a flush median, means one or more broken or solid lines of paint or raised studs (or any combination of those lines and studs) intended to separate opposing traffic;
- (b) in relation to any portion of a roadway marked with a flush median, means the longitudinal white line that forms the left side of the flush median as viewed by a driver facing forward.

### **Channel**

means to guide or direct into defined paths and to separate through, turning or opposing traffic.

### **Chicane**

means a device that channels traffic by means of a series of alternating turns designed to reduce traffic speed.

### **Clearway**

means a length of roadway over which a no-stopping parking restriction applies for the purpose of increasing the number of through traffic lanes or providing increased space to allow for the free movement of traffic during the period for which the clearway restriction applies.

### **Cycle**

- (a) means a vehicle having at least two wheels and that is designed primarily to be propelled by the muscular energy of the rider; and
- (b) includes a power-assisted cycle.

### **Cycle lane**

means a longitudinal strip within a roadway designed for the passage of cycles.

**Cycle path**

- (a) means part of the road that is physically separated from the roadway that is intended for the use of cyclists, but which may be used also by pedestrians; and
- (b) includes a cycle track formed under *section 332* of the *Local Government Act 1974*.

**Delineator**

means a traffic control device including a guide post, chevron board, bollard, barrel or barrier, that is placed on or beside a roadway to guide road users.

**Director**

means the Director of Land Transport Safety appointed under *section 186* of the Act.

**Driver**

means a person driving a vehicle; and includes the rider of an all-terrain vehicle, a motor cycle, a moped, a cycle, a mobility device or a wheeled recreational device.

**Edgeline**

means a marking used to indicate the far left or far right side of the roadway.

**Emergency services personnel**

means any member of the New Zealand Police, New Zealand Fire Service or an ambulance service.

**Flush median**

means a median marked in accordance with [7.4\(2\)](#).

**Footpath**

means a path or way principally designed for, and used by, pedestrians; and includes a footbridge.

**Goods vehicle**

means a motor vehicle that is:

- (a) designed exclusively or principally for the carriage of goods; or
- (b) used for the collection or delivery of goods in the course of trade.

**Intersection**

- (a) in relation to two or more intersecting or meeting roadways, means that area contained within the prolongation or connection of the lateral boundary lines of each roadway; but
- (b) if two roadways are separated only by a traffic island or by a median less than 10 m wide, the roadways must be regarded as one roadway.

**Lane**

- (a) means a longitudinal strip of roadway that is intended for the passage of vehicles or a specific class of vehicle that is separated from other parts of the roadway by a longitudinal line or lines of paint or raised studs; and



- (b) includes:
  - (i) a cycle lane; and
  - (ii) a lane for the use of vehicular traffic that is at least 2.5 m wide; and
  - (iii) a lane of a two-way road divided by a centre-line.

#### **Left side**

in relation to a vehicle, means its side to the left of the vehicle when the vehicle is facing forward.

#### **Level crossing**

- (a) means a place where:
  - (i) a railway line crosses a road or street on the same level; or
  - (ii) the public is permitted to cross a railway line on the same level; and
- (b) includes a bridge used for both rail vehicles and road traffic on the same level; but
- (c) does not include a railway line on a road that is intended solely for the use of light-rail vehicles.

#### **Light-rail vehicle**

means a lane reserved for the use of light-rail vehicles by a marking or sign installed at the start of the lane (unless the light-rail vehicle lane is a continuous loop) and at each point at which the lane resumes after an intersection.

#### **Light-rail vehicle lane**

means a length of lane containing a light-rail vehicle track on a road that is defined:

- (a) for a light-rail vehicle lane that is a continuous loop, by light-rail vehicle lane signs installed at a point where the light-rail vehicle lane crosses an intersection;
- (b) in any other case, by:
  - (i) a light-rail vehicle lane sign installed at its start; and
  - (ii) a light-rail vehicle lane sign installed at its end;
  - (iii) light-rail vehicle lane signs installed at a point where the light-rail vehicle lane crosses an intersection.

#### **Limit line**

means a line marked on the surface of the roadway to indicate the place where traffic is required to stop for the purpose of complying with a stop sign, give-way sign, pedestrian crossing, school crossing point or traffic signal.

#### **Local authority**

means a regional council, a district council, a county council or a city council.

#### **Loading zone**

means an area of marked roadway designated solely for the purpose of loading or unloading goods or passengers.

#### **Marking**

means a line, symbol, pattern, message, numeral, pavement marker or other device set in the roadway or applied or attached to the road surface.

**Median**

means a strip of land that may be part of a road and that separates vehicles travelling in opposite directions.

**Motor vehicle**

has the same meaning as in *section 2(1)* of the Act.

**Normal braking**

means the level of braking applied to a vehicle that does not lock any of the vehicle's wheels and permits the vehicle to decelerate without adversely affecting directional control.

**Normal vision**

means the visual acuity required of a person to obtain and hold a driver licence, in accordance with the *Land Transport (Driver Licensing) Rule 1999*.

**Parking**

means:

- (a) in relation to any portion of a road where parking is for the time being governed by the location of parking meters or vending machines placed under a bylaw of a local authority, the stopping or standing of a vehicle on that portion of the road for any period exceeding five minutes;
- (b) in relation to any other portion of a road, the stopping or standing of a vehicle (other than a vehicle picking up or setting down passengers in a loading zone or reserved parking area, and entitled to do so) on that portion of the road.

**Passenger service vehicle**

has the same meaning as in *section 2(1)* of the *Transport Services Licensing Act 1989*.

**Pedestrian**

- (a) means a person on foot on a road; and
- (b) includes a person in or on any contrivance equipped with wheels or revolving runners that is not a vehicle.

**Pedestrian crossing**

means a pedestrian crossing duly established and marked on a roadway in accordance with [8.2](#).

**Pedestrian traffic signals**

means traffic signals to control the movement of pedestrians crossing the roadway.

**Power-assisted cycle**

means a cycle to which is attached one or more auxiliary propulsion motors that have a combined maximum power output not exceeding 200 watts.

**Public holiday**

means a day specified as a public holiday in *section 44(1) of the Holidays Act 2003*.

**Rail access provider**

in relation to a railway line, means the person who controls the use of the railway line by rail operators (including that person if it is also a railway operator) whether or not that person engages an employee, agent, contractor or volunteer to exercise or assist in exercising control on its behalf; but does not include those individuals.

**Rail vehicle**

- (a) means any vehicle that operates on, or uses, a railway line; and
- (b) includes a locomotive, rail carriage, rail wagon, railcar, light-rail vehicle, rail maintenance vehicle (whether or not self-propelled), and any other vehicle prescribed as a rail vehicle by any enactment; but
- (c) does not include a vehicle designed to operate both on and off rails while it is not operating on rails.

**Reflective material (or retroreflective material)**

means any material that is designed to reflect incident light back towards the light source, or in a specific direction; but does not include a reflector.

**Reserved parking**

means an area of roadway reserved for parking by a specified class or classes of vehicle or class or classes of road user, or for a specified purpose.

**Right side**

in relation to a vehicle, means its side to the right of the vehicle when the vehicle is facing forward.

**Road**

includes:

- (a) a street; and
- (b) a motorway; and
- (c) a beach; and
- (d) a place to which the public have access, whether as of right or not; and
- (e) all bridges, culverts, ferries and fords forming part of a road or street or motorway, or a place referred to in [\(d\)](#); and
- (f) all sites at which vehicles may be weighed for the purposes of the Act or any other enactment.

**Road controlling authority**

in relation to a road:

- (a) means the authority, body, or person having control of the road; and
- (b) includes a person acting under and within the terms of a delegation or authorisation given by the controlling authority.

**Road hump**

means a short, elevated portion of roadway used as a means of reducing the speed of vehicles travelling on the roadway.

**Road user means**

a driver, rider, passenger or pedestrian.

**Roadway**

means that portion of the road used or reasonably usable for the time being for vehicular traffic in general.

**Roundabout**

means an intersection with one or more marked lanes or lines of traffic, all of which are for the use of vehicles travelling in a clockwise direction around a central traffic island.

**Safe stopping distance**

means the minimum distance required for a driver of normal vision, driving at a safe operating speed for the road, to recognise a hazard and decelerate with normal braking to stop completely before reaching the hazard.

**Safety zone**

means a portion of roadway:

- (a) indicated by a structure installed on the roadway; and
- (b) that has, near the end first met by approaching vehicles travelling along the side of the roadway on which the safety zone is established, a device displaying to approaching drivers the words 'Safety Zone'.

**School bus**

means a bus that is being used, whether or not for hire or reward:

- (a) for transporting (in addition to the driver) school children to and from school, with or without their teachers; or
- (b) principally for transporting school children to or from a school function.

**Shoulder**

means any part of a road not designed to be used by motor vehicles in travelling along the road and, on a sealed road, includes:

- (a) any unsealed part of the road; and
- (b) any sealed part of the road outside an edgeline on the road.

**Special route**

means a roadway or a series of linked roadways which vehicles of a specified class or classes are required or encouraged to use.

**Special vehicle lane**

means a lane defined by signs or markings and restricted to a specified class or classes of vehicle; and includes a bus lane, a transit lane, a cycle lane, and a light-rail vehicle lane.

**Standing**

means stopping:

- (a) for the purpose of picking up or setting down passengers, or, in the case of a taxi stand, for the purposes of waiting for hire; and
- (b) while a vehicle remains attended by the driver at all times.

**Temporary traffic signals**

means traffic signals that are installed for the temporary control of traffic.

**Traffic calming device**

means a device that is intended, generally in association with other traffic control devices, to moderate the volumes or speeds of traffic in an area so they are consistent with the road environment and its use.

**Traffic control device**

means a device used on a road for the purpose of traffic control; and includes any:

- (a) sign, signal, or notice; or
- (b) traffic calming device; or
- (c) marking or road surface treatment.

**Traffic island**

means a defined area within a roadway, which may be flush with the roadway or raised, and from which vehicular traffic is intended to be excluded.

**Traffic sign**

means a board, plate, screen or other device, whether or not illuminated, displaying words, figures, symbols or other material intended to instruct, advise, inform or guide traffic on a road; and includes a 'children crossing' flag, a hand-held stop sign, a parking control sign and variable message signs; but does not include a traffic signal.

**Traffic signal**

means a set of illuminated displays complying with [section 6](#) and that are steady, flashing or pedestrian displays.

**Traffic signal controller**

means the equipment and programming associated with it that controls the duration and sequence of signal displays.

**Transit lane**

means a lane reserved for the use of the following (unless specifically excluded by a sign installed at the start of the lane):

- (a) passenger service vehicles;
- (b) motor vehicles carrying not less than the number of persons (including the driver) specified on the sign;
- (c) cycles;
- (d) motorcycles.

**Turn bay**

means an area of roadway that is reserved for vehicles making, or waiting to make, a turn.

**Vehicle**

has the same meaning as in *section 2(1)* of the Act.

**Visible**

means able to be seen from a safe stopping distance.

**Zone parking**

in relation to a road, means a parking restriction imposed by the road controlling authority:

- (a) that applies to an area comprising a number of roads; and
- (b) in respect of which persons using vehicles within the area could reasonably be expected to be aware of the application of the parking restriction to the area without the need for the erection of signs at each intersection within the area, for reasons including:
  - (i) the nature of the area; or
  - (ii) the nature of the parking restriction; or
  - (iii) traffic patterns into and within the area; or
  - (iv) the nature and number of entry points to the area; and
- (c) that the controlling authority specifically declares to be a zone parking control.

**Zone restriction**

means an area of roadway the use of which is restricted to a specified class or classes of vehicle or class or classes of road user (with or without a time restriction).







# Towage



# TOWING A VEHICLE

## Land Transport Act 1998

### 128E Powers of parking wardens

(1) A parking warden in uniform or in possession of a warrant or other evidence of authority as a parking warden—

(d) may, if the parking warden believes on reasonable grounds that a vehicle on a road causes an obstruction in the road or to any vehicle entrance to any property or that the removal of the vehicle is desirable in the interests of road safety or for the convenience or in the interests of the public,—

(i) enter, or authorise another person to enter, the vehicle for the purpose of moving it or preparing it for movement; and

(ii) move, or authorise another person to move, the vehicle to any place where it does not constitute a traffic hazard.

(4) A person who is authorised by a parking warden to enter a vehicle for the purpose of moving it or preparing it for movement or to move a vehicle to a place where it does not constitute a traffic hazard may do so, but must do everything reasonably necessary to ensure that the vehicle is not damaged while doing so.

(5) Every person commits an offence and is liable on conviction for a fine not exceeding \$1,000 if the person—

(a) has possession of a vehicle as a result of its being moved under subsection (1)(d); and

(b) fails to deliver possession of the vehicle, as soon as practicable, to a person who produces satisfactory evidence, at any reasonable time, to the effect that the person was lawfully entitled to possession of the vehicle immediately before it was moved.

# Transport (Towage Fees) Notice 2004

## 1 Title

- This notice is the Transport (Towage Fees) Notice 2004.

## 2 Commencement

- This notice comes into force on 5 August 2004.

## 3 Application

- This notice applies to parking offences committed on or after 5 August 2004.

## 4 Interpretation

- In this notice, unless the context otherwise requires,—  
**Act** means the [Land Transport Act 1998](#)  
**public holiday** means a day listed as a public holiday in [section 44](#) of the Holidays Act 2003.  
Clause 4 **Act**: amended, on 10 May 2011, by [section 100\(3\)](#) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

## 5 Towage fees

- The towage fee payable in respect of a parking offence under the Act is,—
  - (a) if the motor vehicle has a gross weight of not more than 3 500 kg,—
    - (i) a fee not exceeding \$53.60, if the towage takes place between the hours of 7 am and 6 pm on any day other than a Saturday, Sunday, or public holiday; or
    - (ii) a fee not exceeding \$71.50, if the towage takes place at any other time; or
  - (b) if the motor vehicle has a gross weight of more than 3 500 kg,—
    - (i) a fee not exceeding \$132.80, if the towage takes place between the hours of 7 am and 6 pm on any day other than a Saturday, Sunday, or public holiday; or
    - (ii) a fee not exceeding \$204.40, if the towage takes place at any other time.

## 6 Fees inclusive of GST

- The fees specified in this notice are inclusive of goods and services tax.

## 7 Revocation

- The Transport (Towage Fees) Notice (No 2) 1990 (SR 1990/173) is revoked.

## 8 Transitional provision

- Despite [clause 7](#), the fees specified in clause 2 of the Transport (Towage Fees) Notice (No 2) 1990 continue to apply where the parking offence was committed before 5 August 2004

Notes:

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## Department Guidelines

1. Towing with the exception of those for Clearways, Vehicle Entrances, Leased Car Parks and Abandoned Vehicles may only be carried out as a result of a complaint.
2. We do not tow solely for the convenience of others.
3. Towing is to be by Authorised Agents only, being 'Reillys Towage and Salvage', Corner of Jutland and Halsey Street Dunedin or 'Otago Towing', 66 Carroll Street Dunedin.
4. When calling for a Tow Truck the following information is required.
  - (a) Make, Model, and year of Manufacture.
  - (b) Exact Location.... Street/Road and intersecting Street/Road
5. Details to be recorded on notice to include;
  - (a) Time Tow Truck was called.
  - (b) Time Tow Truck Arrived
  - (c) Clear details of the offence
  - (d) Was the vehicle secure, ie note if the vehicle was not locked windows left open
  - (e) Which door was entered to be ready for removal.
  - (f) How was the vehicle towed, ie lifted from front, rear if dolly wheels are used
  - (g) Any removable personal property, eg Mobile phone, lap top etc
  - (h) Any visible signs of damage, eg. Dents, paint damage etc.
6. Ensure you receive confirmation of a Tow Truck being dispatched before adding the towage fee to the notice.
7. Remain with the vehicle until it is towed
8. Ensure a Tow Authority is completed before the vehicle is removed, and is phoned in to customer services as soon as possible. The tow register number is to be put onto the top of our copy of the tow form.
9. A vehicle cannot be towed if there is children or animals in the vehicle
10. Only if it is absolutely necessary should you enter a vehicle and always in the presence of another person.
11. If the owner returns to the vehicle before the vehicle has been removed from the area **it must be released**

# AutoCite





# Precedent codes



## Parking

P101 Parked within an intersection .....	\$60
P102 Parked within 6 metres of an intersection .....	\$60
P103 Parked near corner bend rise .....	\$40
P104 Parked on or near a pedestrian crossing .....	\$60
P105 Parked in prohibited area .....	\$40
P106 Parked over the time limit.....	\$12 - \$57
P107 Parked in area of broken yellow line .....	\$60
P108 Parked in area reserved for hire or reward vehicles.....	\$60
P109 Parked within 6m indicated bus stop .....	\$40
P110 Parked obstructing vehicle entrance.....	\$40
P111 Parked near fire hydrant .....	\$40
P112 Parked between fire hydrant and road marking .....	\$40
P113 Double parked .....	\$60
P114 Incorrect kerb parking - left side of road .....	\$40
P115 Parked on footpath or cycle path .....	\$40
P116 Parked a trailer on a road over seven days .....	\$40
P117 Inconsiderately parked.....	\$60
P118 Parked on a motorway .....	\$150
P119 Parked on a loading zone .....	\$40
P120 Incorrect angle parking .....	\$40
P121 Parked on road when off road park available.....	\$40
P124 Park wrong way one way street.....	\$40
P127 Parked on a flush median or traffic island .....	\$40
P128 Parked in a special vehicle lane .....	\$60
P129 Parked on a level crossing .....	\$150
P130 Parked near a level crossing .....	\$150
P131 Angle parked goods vehicle during hours of darkness .....	\$60
P132 Left passenger service vehicle unattended in reserved stopping place .....	\$60

P133 Incorrect kerb parking – one-way road .....	\$40
P134 Parked on roadside grass plot, shrubs or flower beds .....	\$40
P135 Parked unlawfully in a pick-up and drop-off area .....	\$40
P508 Parked in a clearway .....	\$60
P969 Parked in area reserved for disabled persons .....	\$150

### **Registration and licensing**

P401 Operated an unregistered motor vehicle – parked vehicle.....	\$200
P402 Operated an unlicensed motor vehicle – parked vehicle.....	\$200
P403 Registration plates not affixed in prescribed manner – parked vehicle .....	\$200
P404 Displayed other than authorised registration plate – parked vehicle .....	\$200
P405 Displayed other than authorised motor vehicle licence – parked vehicle ..	\$200
P406 Displayed item likely to be mistaken for plate or licence – parked vehicle.	\$200
P407 Displayed item with intent to deceive – parked vehicle .....	\$200
P408 Obscured or indistinguishable registration plate – parked vehicle .....	\$200
P409 Obscured or indistinguishable licence label – parked vehicle .....	\$200
P410 Used vehicle with exemption from continuous licensing – parked vehicle	\$200
P411 Current licence label not affixed in prescribed manner – parked vehicle ..	\$200

### **Vehicle Standards**

V207 Failed to display red marker light on GSV .....	\$150
V557 Operated vehicle with a damaged tyre .....	\$150
V561 Operated vehicle with a smooth tyre.....	\$150

### **DUNEDIN**

P923 Parked over limit line marking parking space - Dunedin .....	\$40
Q301 Displayed invalid parking receipt – Dunedin.....	\$40
Q302 Exceeded maximum stay in pay and display area – Dunedin.....	\$12 - \$57
Q303 Displayed expired parking receipt – Dunedin.....	\$12- \$57

# C101

**No evidence of current vehicle inspection – private vehicles.**

*Operated a private vehicle on a road when that vehicle was not displaying current evidence of vehicle inspection. 34(1)(b) Land Transport Act 1998, Fee \$200*

## Department Guidelines

**All vehicles must be Motochecked** before an infringement notice is issued.

A photo of the Vehicle on the street

## Handheld

Offence Type - Non time offence

C101

NO EVIDENCE OF CURRENT VEHICLE INSPECTION - PRIVATE VEHICLE

WOF expiry - 04/15

Driver returned - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.

Note 1

Has "preset notes" for use with any offence or you can put your own notes here.

Note 2

Has "preset notes" for use with any offence or you can put your own notes here.

In the extra notes field

Write the expiry date of the WOF in here. If it has failed, make a note here and the date it failed,

## Vehicle details

Vehicle type:	Passenger Car/Van
Chassis number:	BG5-218351
Colour:	White
Previous country:	Japan
Gross vehicle mass:	1,635 kg
Fuel type:	Petrol
Last WOF inspection:	15/10/2014 (Pass)
Expiry date of last WOF:	15/04/2015



Notes:

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## C201

### No evidence of current vehicle inspection – commercial vehicle

Operated a vehicle (being a [1 heavy motor vehicle]) on a road when that vehicle was not displaying current evidence of vehicle inspection 12 *vehicle used in a transport service.*  
*s.34(1)(b) Land Transport Act 1998, Fee \$600*

### Department Guidelines

**All vehicles must be Motochecked** before an infringement notice is issued

Offence Type - Non time offence

C201

NO EVIDENCE OF CURRENT VEHICLE INSPECTION - COMMERCIAL VEHICLE

COF expiry - 05/14

Driver returned - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.

#### **Note 1**

Has "preset notes" for use with any offence or you can put your own notes here.

#### **NOTE 2**

Has "preset notes" for use with any offence or you can put your own notes here.

In the extra notes field

Write the expiry date of the WOF in here. If it has failed, make a note here and the date it failed

### Vehicle details

Vehicle type:	Goods Van/Truck/Utility	Engine no:	FD35
Chassis number:	SH40052438	CC rating:	3,465
Colour:	White	Country of origin:	Japan
Previous country:	Japan	Assembly type:	Unknown
Gross vehicle mass:	4,750 kg	No. of seats:	2
Fuel type:	Diesel	Last COF inspection:	20/11/2014 (Pass)
		Expiry date of last COF:	20/05/2015





Notes:

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# P101

## Parked Within an Intersection

*Did stop stand or park a vehicle within an intersection*

*S.40 Land Transport Act 1998 & r.4 Offences & Penalties Regs 1999 & 6.3(2) Road User Rule 2004, Fee \$60*

### Handheld

Offence Type - Non time offence

P101

DID PARK A VEHICLE WITHIN AN INTERSECTION

Driver returned - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.

Note: 1

Has "preset notes" for use with any offence or you can put your own notes here.

Note: 2

Has "preset notes" for use with any offence or you can put your own notes here.

Take photo and measurements of position of vehicle.

Use chalk to show prolongation of corner, and position of vehicle.





2011/03/15@12:17:51



2011/03/15@12:17:37

400mm

Notes:

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# P102

## Parked Within 6m of an Intersection

*Did stop stand or park a vehicle on a road within 6 metres of an intersection,  
S .40 Land Transport Act 1998 & r.4 Offences & Penalties Regs 1999 & 6.3(2) Road User  
Rule 2004, Fee \$60*

### Department Guidelines

If a Vehicle is more than 4m from the intersection then no action is to be taken

### Handheld

Offence Type - Non time offence

P102

DID PARK A VEHICLE WITHIN 6 METRES OF AN INTERSECTION

Driver returned - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.

Note: 1

Has "preset notes" for use with any offence or you can put your own notes here.

Note: 2

Has "preset notes" for use with any offence or you can put your own notes here.

Take photo and measurements of position of vehicle.

Use chalk to show prolongation of corner, and position of vehicle.





2.3m

Notes:

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# P104

## Parked on or near a Pedestrian Crossing

*Parked a vehicle on or within 6 metres of the nearer side of a pedestrian crossing  
S.40 Land Transport Act 1998 & r.4 Offences & Penalties Regs 1999 & 6.5 Road User  
Rule 2004, Fee \$60*

(1) A driver or person in charge of a vehicle must not stop, stand, or park the vehicle on a pedestrian crossing.

(2) A driver must not stop, stand, or park a vehicle—

(a) within 6 m of the driver's approach to a pedestrian crossing; or

(b) within any distance (being greater than 6 m) from the driver's approach to a pedestrian crossing that the road controlling authority determines by installing a sign or by marking on the roadway a broken yellow line parallel to, and at a distance of not more than 1 m from, the edge of the roadway.

(3) Subclause (2) does not apply to—

(a) a cycle; or

(b) a vehicle of a type that is wholly within an area that is set back from the line of traffic approaching a pedestrian crossing and in which parking is authorised by signs or markings maintained by the road controlling authority.

### Department Guidelines

If a Vehicle is parked on Broken Yellow Lines on the nearer or approach side of a Pedestrian Crossing then issue it a Notice for Parking on Broken Yellow Lines and Endorse with the words 'approach to pedestrian crossing'

### Handheld

Offence Type - Non time offence

P104A - DID PARK A VEHICLE ON A PEDESTRIAN CROSSING

P104B - DID PARK A VEHICLE WITHIN 6 METRES OF THE APPROACH TO A PEDESTRIAN CROSSING

Driver returned – Yes/No

Note: 1

Has "preset notes" for use with any offence or you can put your own notes here.

Note: 2

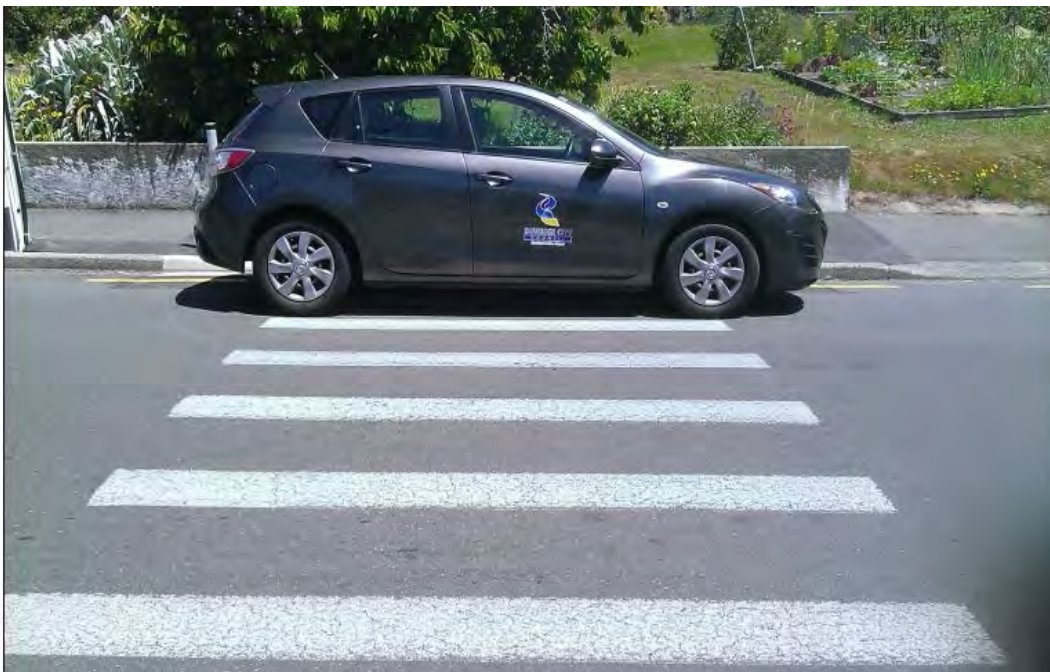
Has “*preset notes*” for use with any offence or you can put your own notes here.

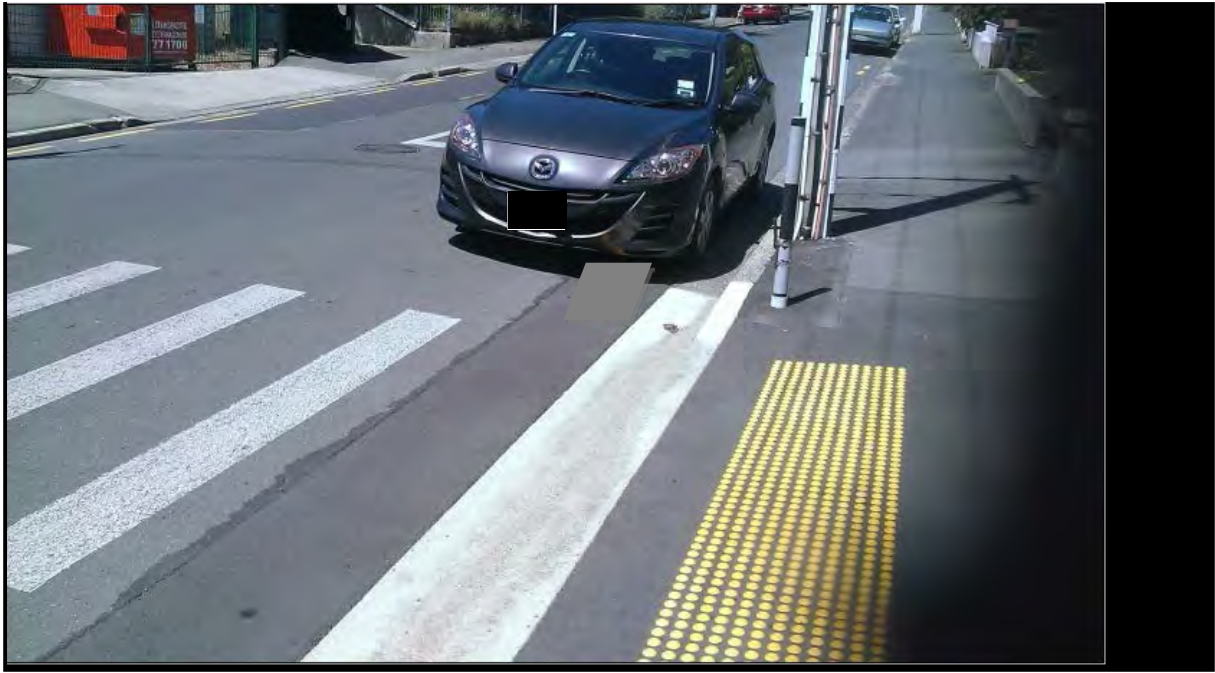
Take photo and measurements of position of vehicle.

Use chalk to show where the measurements have been taken from and to the vehicle.

You can also use the extra notes field for doing diagrams, attaching photos, and for writing extra notes.

This field can be used after the ticket has been completed.





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Notes:

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# P105

## Parked in a Prohibited Area

*Stopped, stood or parked a vehicle on a part of the road contrary to the terms of a traffic sign, notice or road marking*

**Note** Use P106 for exceeding time limit

*S.40 Land Transport Act 1998 & r.4 Offences & Penalties Regs 1999 & 6.4(1) Road User Rule 2004, Fee \$40*

(1) A driver or person in charge of a vehicle must not stop, stand, or park the vehicle on any part of a road contrary to the terms of any notice, traffic sign, or marking maintained on or adjacent to the road by a road controlling authority and indicating that the stopping, standing, or parking of vehicles is prohibited, limited, or restricted.

### Department Guidelines

Ensure that all signs including arrows (if required) are in place and clearly define the area of application if they are not then no notice may be issued

Distance between signs must not exceed 100m and must clearly define the extent of the restriction.

### Handheld

Offence Type - Non time offence

P105

DID PARK A VEHICLE IN A PROHIBITED AREA

Violation Remark 1:  
NO STOPPING AREA

Violation Remark 2:  
BUS STOP 7AM - 4PM NO STOPPING ALL OTHER TIMES  
(this is for the area on Princes Street os City Hotel)

Distance from sign required Approx (taken from front left of vehicle)

Signs / Markings  
SC

Driver returned - Yes/No  
Any significant conversation with the returning driver should be noted in the extra notes

Note: 1

Has "preset notes" for use with any offence or you can put your own notes here.

Note: 2

Has "preset notes" for use with any offence or you can put your own notes here.

Take photo and measurements of position of vehicle.



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# P106

## Parked over the time limit.

*Parked a vehicle on a road for a period in excess of the maximum time a vehicle may park there as indicated by a traffic sign, Land Transport Act 1998, s40 & Offences and Penalties Regs 1999, r4 & 6.4(1) Road User Rule 2004*

### Handheld

Offence Type - Excess time limit.

Offence code is automatically done from the time difference between the "from time" to the "to time". From time is the time **you chalked the vehicles tyre.**

### OFFENCE

41T30

PARKED OVER THE TIME LIMIT FOR NO MORE THAN 30 MINUTES

41T60

PARKED OVER THE TIME LIMIT ( MORE THAN 30 MINUTES BUT NO MORE THAN 1 HOUR)

41T120

PARKED OVER THE TIME LIMIT ( MORE THAN 1 HOUR BUT NO MORE THAN 2 HOURS)

41T240

PARKED OVER THE TIME LIMIT ( MORE THAN 2 HOURS BUT NO MORE THAN 4 HOURS)

41T360

PARKED OVER THE TIME LIMIT ( MORE THAN 4 HOURS BUT NO MORE THAN 6 HOURS)

41T999

Violation Remark 1:

7.00AM TO 7.00PM

7.45AM TO 5.45PM MON TO FRI

8.00AM - 9.00AM 3.00PM - 4.00PM

8.45AM - 9.15AM 2.45PM - 3.15PM

ALL OTHER TIMES

AT ALL TIMES

IN THIS AREA

IN THIS AREA ALL OTHER TIMES

IN THIS AREA AT ALL TIMES

MON-FRI

Violation Remark 2:

9AM- 7PM

ALL OTHER TIMES

AT ALL TIMES  
IN THIS AREA AT ALL TIMES  
MON-FRI

Fill out any notes that you may think you need to after the print screen in the available fields, as you scroll through.

Driver returned - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.

**Note 1**

Has "*preset notes*" for use with any offence or you can put your own notes here.

**NOTE 2**

Has "*preset notes*" for use with any offence or you can put your own notes here.

You can also use the extra notes field for doing diagrams, attaching photos, and for writing extra notes. This field can be used after the ticket has been completed and finished.

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**P107**

## **Parked on Broken Yellow Lines**

*Parked a vehicle on an area marked by a Broken Yellow Line, Land Transport Act 1998, s.40 & Offences & Penalties Regs 1999, r4 & 6.4(4) Road User Rule 2004, Fee \$60*

6.4(4)A driver or person in charge of a vehicle must not stop, stand, or park the vehicle on any part of a roadway where the road controlling authority has marked a broken yellow line parallel to, and at a distance of not more than 1 m from, the edge of the roadway.

### **Department Policy**

There must be at least one whole line obstructed by a vehicle before a notice can be issued

All markings must be clear, if they are not then no notice may be issued

Take photo of position of vehicle showing yellow lines.

### **Handheld**

Offence Type - Non time offence

P107

PARKED A VEHICLE IN AN AREA MARKED BY A BROKEN YELLOW LINE

Signs / Markings

MC

Driver return - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.

Note: 1

Has "preset notes" for use with any offence or you can put your own notes here.

Note: 2

Has "preset notes" for use with any offence or you can put your own notes here.

You can also use the extra notes field for doing diagrams, attaching photos, and for writing extra notes. This field can be used after the ticket has been completed and finished.



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**P108**

**P108 A - Parked on a Bus Stop**  
**P108 B - Parked on a Taxi Stand**

*Being a driver or person in charge of a vehicle on a road parked a vehicle within 6 metres of a bus stop sign,*

**Note** Use P109 for bus stops indicated by signs only

*S.40 Land Transport Act 1998 & r.4 Offences & Penalties Regs 1999 & 6.15(2) Road User Rule 2004, Fee \$60*

Parking on stopping places and stands

(1) This clause applies to an area of roadway (the area) if—

(a) the area is reserved by a road controlling authority as a stopping place or stand for any class or classes of vehicle; and

(b) the location of the area is indicated by the road controlling authority by the installation adjoining the area (at any place or places that give any driver reasonable notice of the presence of the area) of 1 or more appropriate parking signs; and

(c) the area is marked on the roadway by lines.

(2) A driver or person in charge of a vehicle that does not belong to a class or classes of vehicle indicated by an appropriate parking sign installed at that stopping place or stand must not stop, stand, or park the vehicle, whether attended or unattended, on the area.

(3) A driver or person in charge of a vehicle that belongs to a class or classes of vehicle indicated by an appropriate parking sign installed at that stopping place or stand must not leave the vehicle unattended on the area.

**Department Guidelines**

**Do not issue a notice for Bus Stop areas that do not have road markings** (Within 6m of an indicated Bus Stop)

Ensure that all signs and road markings required (yellow) are in place and clearly define the area of application if they are not then no notice may be issued ( a sign must be within the area marked out on the road) no offence is being committed if there are no road markings

**Handheld**

Offence Type - Non time offence

**P108**

DID PARK A VEHICLE IN AN AREA WHICH DOES NOT BELONG TO A CLASS OR CLASSES OF VEHICLE INDICATED BY AN APPROPRIATE PARKING SIGN



**P108 A**

Violation Remark 1:  
PARKED ON A BUS STOP

If sign has times on it select appropriate time.

Violation Remark 2:  
2.30PM TO 4.30PM MON -FRI  
3:30PM-5:30PM MON-FRI  
3PM-6PM MON-FRI  
7.00AM - 4.00PM  
7:30AM-9AM MON-FRI  
8.30AM TO 9.30AM MON- FRI  
9AM - 12PM TOUR COACHES ONLY  
TOUR COACHES ONLY 9AM - 12PM  
TOUR COACHES ONLY 7PM - 7AM

Distance from sign required Approx (taken from front left of vehicle)

Signs/ Markings  
SC/MC

Driver return - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.



**P108 B**

Violation Remark 1:  
PARKED ON A TAXI STAND

If sign has times on it select appropriate time.



Violation Remark 2:

If required

Distance from sign required Approx (taken from front left of vehicle)

Signs/ Markings

SC/MC

Driver return - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.

Note: 1

Has "preset notes" for use with any offence or you can put your own notes here.

Note: 2

Has "preset notes" for use with any offence or you can put your own notes here.

You can also use the extra notes field for doing diagrams, attaching photos, and for writing extra notes. This field can be used after the ticket has been completed.



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**P110**

## **Parked over or within 1m of a Vehicle Entrance**

*Did stop stand or park a vehicle on a road so as to obstruct entry to or exit from any driveway S.40 Land Transport Act 1998 & r.4 Offences & Penalties Regs 1999 & 6.9(1) Road User Rule 2004, Fee \$40*

### **6.9 Obstructing vehicle entrances and exits**

(1) A driver or person in charge of a vehicle must not stop, stand, or park the vehicle so as to obstruct entry to or exit from any driveway.

(2) For the purposes of this clause, a vehicle parked alongside any part of a kerb crossing provided for a driveway or within 1 m of the prolongation of the side of a driveway must be regarded as obstructing entry or exit.

(3) Nothing in subclause (1) or subclause (2) applies to a bus that has stopped at an authorised bus stop, or a light rail vehicle that has stopped at a light rail vehicle stop, for the purpose of discharging or embarking passengers.

### **Department Guidelines**

Notices for this offence should only be issued as a result of a complaint received unless they are within a metered, pay and display or restricted area.

A vehicle entrance must appear to be used as one there does not have to be a dip in the kerb but a vehicle must be able to negotiate from a position on the road to a place totally off the road (road includes a footpath) a loading dock which has an opening on the roadway edge is not a vehicle entrance

When issuing a notice for this offence photos and measurements must be recorded and an RFS number if sent on complaint.

### **Handheld**

Offence Type - Non time offence

P110

DID PARK A VEHICLE OBSTRUCTING A VEHICLE ENTRANCE

Violation Remark 1

PARKED OBSTRUCTING A VEHICLE ENTRANCE

PARKED WITHIN 1 METRE

Fill out any notes that you may think you need to after the print screen in the available fields, as you scroll through.

Driver Return, Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.

Note 1

Has "preset notes" for use with any offence or you can put your own notes here.

Note 2

Has "preset notes" for use with any offence or you can put your own notes here.

Take photo of position of vehicle and take measurements. Use chalk to show position of vehicle.

You can also use the extra notes field for doing diagrams, attaching photos, and for writing extra notes. This field can be used after the ticket has been completed and finished.



Notes:

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**P111**

**Parked on a Fire Hydrant**

*Parked a vehicle within 500mm of a fire hydrant, Land Transport Act 1998, s.40 & Offences & Penalties Regs 1999, r4 & 6.10(1) Road User Rule 2004, Fee \$40*

(1) A driver or person in charge of a vehicle must not stop, stand, or park the vehicle—

(a) within 500 mm of a fire hydrant; or

(b) if the fire hydrant is situated below the surface of the road, within 500 mm of the centre of the cover of the hydrant.

### **Department Guidelines**

When issuing a notice for this offence photos must be taken showing markings, and measurement are taken from the centre of the Fire Hydrant.

**A driver is not in breach of subclause (1) or subclause (2) if the driver proves that he or she remained in the vehicle or left in charge of the vehicle a person licensed and capable of moving it if necessary.**

### **Handheld**

**Offence Type** - Non time offence

P111

DID PARK A VEHICLE WITHIN 500MM OF A FIRE HYDRANT

### **Signs/ Markings**

MC

Driver returned - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.

#### **Note 1**

Has "preset notes" for use with any offence or you can put your own notes here.

#### **Note 2**

Has "preset notes" for use with any offence or you can put your own notes here.

Take photo of position of vehicle.

You can also use the extra notes field for doing diagrams, attaching photos, and for writing extra notes. This field can be used after the ticket has been completed and finished.





Notes:

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**P113**

**Double Parked**

*Double parked a vehicle, S.40 Land Transport Act 1998 & r.4 Offences & Penalties Regs 1999 & 6.11 Road User Rule 2004, Fee \$60*

A driver or person in charge of a vehicle must not stop, stand, or park the vehicle so that any other stopped motor vehicle is located between his or her vehicle and the nearest edge of the roadway.

### **Department Guidelines**

If the driver is present they must be given the opportunity to move  
(Exceptions are made by the Manager from time to time for School patrols and problem areas)

When issuing a notice for this offence photos should be taken of the offending vehicle and also the vehicle it is obstructing while double parked

### **Handhelds**

**Offence Type** - Non time offence

DOUBLE PARKED A VEHICLE

Fill out any notes that you may think you need to after the print screen in the available fields, as you scroll through.

Driver Returned- Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.

Note 1

Has "preset notes" for use with any offence or you can put your own notes here.

Note 2

Has "preset notes" for use with any offence or you can put your own notes here.

Take photo of position of vehicle.

It is always good to note the plate of the vehicle, that the offending vehicle is double parked along the side of.



Notes:

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# P114

## Incorrect Kerb Parking

*Failed to park a vehicle parallel with the direction of the roadway and as close as possible to the left, S.40 Land Transport Act 1998 & r.4 Offences & Penalties Regs 1999 & 6.12 Road User Rule 2004, Fee \$40*

- (1) Unless [clause 6.13](#) applies, a driver or person in charge of a vehicle must not stop, stand, or park the vehicle otherwise than parallel with the direction of the roadway and with the left side of the vehicle as close as practicable to the left side of the road.
- (2) However, in a one-way road, the vehicle must face in the same direction as the vehicles proceeding along the road and as close as practicable to either side of the road

### 6.13 Parking at angle

- (1) If the road controlling authority has indicated that vehicles may be parked only at an angle to the direction of the road-way, a driver must not stand or park a vehicle (other than a cycle) otherwise than in accordance with the direction indicated.
- (2) An all terrain vehicle, a motorcycle, a moped, or a cycle may be parked otherwise than parallel with the roadway if during the hours of darkness it is sufficiently illuminated so as to be visible from at least 50 m

### Department Guidelines

Motorcycles are exempt from this offence

Notices may be issued in 'dead end' streets / roads with discretion if a vehicle parked in this manner is unlikely to cause any of the hazards associated with this offence ie. if at the very end it is unlikely that it would cause any traffic disruption or 'dazzle' the driver of an approaching vehicle then no action would be reasonable

### Handheld

Offence Type - Non time offence

P114

INCORRECT KERB PARKING

Violation Remark 1

PARKED FACING THE WRONG DIRECTION

Fill out any notes that you may think you need to after the print screen in the available fields, as you scroll through.

Driver Returned - Yes/No

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Any significant conversation with the returning driver should be noted in the extra notes.

Note 1

Has "preset notes" for use with any offence or you can put your own notes here.

Note 2

Has "preset notes" for use with any offence or you can put your own notes here.

Take photo of position of vehicle.

You can also use the extra notes field for doing diagrams, attaching photos, and for writing extra notes. This field can be used after the ticket has been completed and finished.



Notes:

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**Handheld**

Offence Type - Non time offence

P114

## INCORRECT KERB PARKING

Violation Remark 1

PARKED CONTRARY TO ROAD MARKINGS

Violation Remark 2

ANGLE PARKED OUTSIDE A MARKED AREA

Fill out any notes that you may think you need to after the print screen in the available fields, as you scroll through.

Driver Returned - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.

Note 1

Has "*preset notes*" for use with any offence or you can put your own notes here.

Note 2

Has "*preset notes*" for use with any offence or you can put your own notes here.

Take photo of position of vehicle.

You can also use the extra notes field for doing diagrams, attaching photos, and for writing extra notes. This field can be used after the ticket has been completed and finished.



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## P115

### Parked on a Footpath

*Parked a vehicle on a footpath or cycle path, Land Transport Act 1998, s.40 & Offences & Penalties Regs 1999, r4 & 6.14(1) Road User Rule 2004, Fee \$40*

(1) A driver or person in charge of a vehicle must not stop, stand, or park the vehicle on a footpath or on a cycle path.

(2) Subclause (1) does not apply to cycles if a road controlling authority indicates otherwise by means of signs or markings or if it installs facilities for the parking, standing, or storage of cycles on a footpath or cycle path.

(3) Nothing in subclause (1) prevents a person from stopping, standing, or parking a cycle, mobility device, or wheeled recreational device on a footpath if doing so does not unreasonably obstruct any other user of the footpath

## **Department Guidelines**

When issuing a notice for this offence a photo is to be taken

It should indicate: The position of the vehicle

All measurements taken the points they were taken from and to any disruption or inconvenience caused

## **Handheld**

Offence Type - Non time offence

P115

DID PARK A VEHICLE ON A FOOTPATH

Fill out any notes that you may think you need to after the print screen in the available fields, as you scroll through.

Driver Returned - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.

Note 1

Has "*preset notes*" for use with any offence or you can put your own notes here.

Note 2

Has "*preset notes*" for use with any offence or you can put your own notes here.

Take photo of position of vehicle.

You can also use the extra notes field for doing diagrams, attaching photos, and for writing extra notes. This field can be used after the ticket has been completed and finished.



Nb. Vehicle also facing the wrong direction

Notes:

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## P116

### **Parked a Trailer on a Road in Excess of 7 days**

*Parked a trailer on a road for a period exceeding 7 days, Section 40 of the Land Transport Act 1998 & Regulation 4 Land Transport (Offences and Penalties) Regulations 1999 & Section 6.19 (1) Road User Rule 2004, Fee \$40*

(1) Except with the written permission of the road controlling authority given for a specified trailer, and in compliance with any conditions imposed by the road controlling authority in giving that permission, a person must not park a trailer on a roadway for a period exceeding 7 days.  
(2) Subclause (1) does not derogate from any of the provisions of clauses 6.1 to 6.18.

### **Department Guidelines**

Only dealt with as a result of a complaint received  
Trailer includes a Horse Float or Caravan

### **Handhelds**

Offence Type - Non time offence

Parked a Trailer on a Road in Excess of 7 days

Fill out any notes that you may think you need to after the print screen in the available fields, as you scroll through.

Driver returned - Yes/No

Note 1

Has "*preset notes*" for use with any offence or you can put your own notes here.

Note 2

Has "*preset notes*" for use with any offence or you can put your own notes here.

In your notes write date and time you chalked the tyre.

You can also use the extra notes field for doing diagrams, attaching photos, and for writing extra notes. This field can be used after the ticket has been completed and finished.





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# P117

## Inconsiderate Parking

*Did park a vehicle without reasonable consideration for other road users, Section 40 of the Land Transport Act 1998 & Regulation 4 Land Transport (Offences & Penalties) Regulations 1999 & Section 6.1 Road User Rule 2004, Fee \$60*

6.1 Vehicles must be parked with due care and consideration

A driver or person in charge of a vehicle must not stop, stand, or park the vehicle on a road, whether attended or unattended, without due care or without reasonable consideration for other road users.

### Department Guidelines

A description of the offence being committed must be placed in the others box on your tickets

Photos must be taken showing the inconvenience caused and indicate all measurements if required any relevant signs or markings in the area, why you are issuing the ticket.

### Handhelds

Offence Type - Non time offence

INCONSIDERATE PARKING

Fill out any notes that you may think you need to after the print screen in the available fields, as you scroll through.

Driver Returned - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.

Note 1

Has "preset notes" for use with any offence or you can put your own notes here.

Note 2

Has "preset notes" for use with any offence or you can put your own notes here.

You can also use the extra notes field for doing diagrams, attaching photos, and for writing extra notes. This field can be used after the ticket has been completed and finished.





*This vehicle was blocking the driving lane causing vehicles to cross the centre line there was two empty parks alongside the vehicle*

Notes:

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## P124

**Parked a vehicle facing the wrong direction on a one way street.**

*Parked facing wrong way in one way street, S.40 Land Transport Act 1998 & r.4 Offences & Penalties Regs 1999 & 6.12 Road User Rule 2004, Fee \$40*

### **Handhelds**

Offence Type - Non time offence

DID PARK A VEHICLE FACING THE WRONG DIRECTION ON A ONE WAY STREET

Fill out any notes that you may think you need to after the print screen in the available fields, as you scroll through.

Driver Returned - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.

Note 1

Has "preset notes" for use with any offence or you can put your own notes here.

Note 2

Has "preset notes" for use with any offence or you can put your own notes here.

Take photo showing the position of the vehicle.

You can also use the extra notes field for doing diagrams, attaching photos, and for writing extra notes. This field can be used after the ticket has been completed and finished.



Notes:

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# P128

## Parked in a Special Vehicle lane

*Parked in a special vehicle lane, S.40 Land Transport Act 1998 & r.4 Offences & Penalties Regs 1999 & 6.6 Road User Rule 2004, Fee \$60*

### Department Policy

If someone is in the vehicle get them to move on

### Handheld

Offence Type - Non time offence

Parked in a special vehicle lane

Distance from Sign/Markings.

Driver return - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes

Note: 1

Has "preset notes" for use with any offence or you can put your own notes here.

Note: 2

Has "preset notes" for use with any offence or you can put your own notes here.



Notes:

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## P132

### Passenger service vehicle unattended on a bus stop

*Left passenger service vehicle unattended in reserved stopping place, S.40 Land Transport Act 1998 & r.4 Offences & Penalties Regs 1999 & 6.15(3) Road User Rule 2004, Fee \$60*

#### Department Policy

Chalk vehicle up for a minimum of 10 minutes. Vehicle **must** be unattended

#### Handheld

Offence Type - Non time offence

#### LEFT PASSENGER SERVICE VEHICLE UNATTENDED ON A BUS STOP

Distance from sign.

Driver return - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes

Note: 1

Has "preset notes" for use with any offence or you can put your own notes here.

Note: 2

Has "preset notes" for use with any offence or you can put your own notes here.



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## P134

### Ornamental grass plot, shrub or flower bed

*Did stop, stand or park a vehicle off the roadway and caused damage to an ornamental grass plot, shrubs or flower beds laid out or planted on the margin*

*Land Transport Act 1998, s40 & Offences & Penalties Regs 1999, r4 & Road User Rule 2004, 6.2(1) Fee \$40*

### Handheld

Offence Type - Non time offence

P134

DID PARK A VEHICLE ON AN ORNAMENTAL GRASS PLOT, SHRUB OR FLOWER BED CAUSING DAMAGE.

Driver return - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes

Note: 1

Has "preset notes" for use with any offence or you can put your own notes here.

Note: 2

Has "preset notes" for use with any offence or you can put your own notes here.







Notes:

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## P135

### Parked unlawfully in a pick- up and drop- off area

*Stopped, stood or parked a vehicle on a part of the road contrary to the terms of the traffic sign indicating the area was for pick- up and drop- off only, S.40 Land Transport Act 1998 & r.4 Offences & Penalties Regs 1999 & 6.4(1) Road User Rule 2004, Fee \$40*

#### Department Guidelines

Must ask the driver to move on if present

#### Handheld

Offence Type - Non time offence

PARKED UNLAWFULLY IN A PICK-UP AND DROP-OFF AREA

Violation Remark 1: (preset in handheld)

VEHICLE ATTENDED

VEHICLE UNATTENDED

Violation Remark 2:

MON - SAT 9AM TO 6PM

Distance from sign

Signs / Markings

SC/MC

Driver return - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes

Note: 1

Has "preset notes" for use with any offence or you can put your own notes here.

Note: 2

Has "preset notes" for use with any offence or you can put your own notes here.

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No Driver present

Notes:

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# P401

## Operated an unregistered motor vehicle

*Operated a vehicle on a road when it was not registered in accordance with Part 17 of the Land Transport Act 1998, Land Transport (Motor Vehicle Registration & Licensing) Regulations 2011, regulation 77(2)(a) Fee \$200*

### Department Guidelines

All offences must be Motochecked

### Handheld

Offence Type - Non time offence

OPERATED A MOTOR VEHICLE ON A ROAD WHEN IT WAS NOT REGISTERED

Note 1

Has "preset notes" for use with any offence or you can put your own notes here.

Note 2

Has "preset notes" for use with any offence or you can put your own notes here.

You can also use the extra notes field for doing diagrams, attaching photos, and for writing extra notes. This field can be used after the ticket has been completed and finished.

Driver Returned - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.

A photo is required showing vehicle in position.

### **Advisory message:**

**Registration lapsed on 10/12/2014**

**2006 Ford Econovan 1.8 Litre Petrol Swb Light Van**





Rego lapsed 10/12/14, Vehicle **Not** Licenced – expiry 09/12/2013

Notes:

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## P402

### Operated an unlicensed motor vehicle – parked vehicle

*Operated an motor vehicle on a road when it was not licensed in accordance with Part 17 of the Land Transport Act 1998, Land Transport (Motor Vehicle Registration & Licensing) Regulations 2011, regulation 77(2)(a) Fee \$200*

#### Department Guidelines

All offences must be Motocheked and be expired 1 full Month

#### Handheld

Offence Type - Non time offence

OPERATED A MOTOR VEHICLE ON A ROAD WHEN IT WAS NOT LICENCED

Driver returned - Yes/No

Note 1

Has "preset notes" for use with any offence or you can put your own notes here.

Note 2

Has "preset notes" for use with any offence or you can put your own notes here.

You can also use the extra notes field for doing diagrams, attaching photos, and for writing extra notes. This field can be used after the ticket has been completed and finished.

Any significant conversation with the returning driver should be noted in the extra notes.

A photo is required showing vehicle in position.

#### Registration details

Date first registered in NZ:	31/03/2004	Registration status:	Active
Date first registered overseas:	10/1996	Plate type:	Standard
Licence expiry date:	23/01/2015	Licence type:	Licence
Licence issue date/time:	24/10/2014 10:49	Continuous licence:	Yes
Cause of latest registration:	Used	Usage:	Private Passenger



Licence expiry 23/01/2015

Notes:

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## P403

### Registration plates not affixed in the prescribed manner – Parked vehicle

*Operated a motor vehicle on a road when the registration plates issued to the vehicle were not affixed to it and displayed in the manner prescribed by the Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011 Land Transport (Motor Vehicle Registration & Licensing) Regulations 2011, regulation 77(2)(b)(i) Fee \$200*

#### Department guidelines

Photos of vehicle with plate, and where it is displayed. photo of where it should be displayed and location of the vehicle

#### Handheld

Offence Type - Non time offence

P403

#### FAILING TO DISPLAY REGISTRATION PLATES IN THE PRESCRIBED MANNER

Fill out any notes that you may think you need to after the print screen in the available fields, as you scroll through.

Driver returned - Yes/No

#### Note 1

Has "preset notes" for use with any offence or you can put your own notes here.

#### Note 2

Has "preset notes" for use with any offence or you can put your own notes here.

You can also use the extra notes field for doing diagrams, attaching photos, and for writing extra notes. This field can be used after the ticket has been completed and finished.







Notes:

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## P406

### Displayed item likely to be mistaken for plate or licence – parked vehicle

*Operated a motor vehicle by causing or permitting it to be on a road when the motor vehicle displayed an object or design that was reasonably likely to be mistaken for a plate or license authorised to be affixed to the vehicle under Part 17 of the Land Transport Act 1998, Land Transport (Motor Vehicle Registration & Licensing) Regulations 2011, regulation 85(2)(b) Fee \$200*

#### Department guidelines

Photo of vehicle with plate or Licence label that is likely to be mistaken and a clear description of what is wrong with the item displayed

#### Handheld

Offence Type - Non time offence

P406 A - DID DISPLAY AN ITEM LIKELY TO BE MISTAKEN FOR A LICENCE LABEL

P406 B - DID DISPLAY AN ITEM LIKELY TO BE MISTAKEN FOR A REGISTRATION PLATE

Fill out any notes that you may think you need to after the print screen in the available fields, as you scroll through.

Driver returned - Yes/No

Note 1

Has "preset notes" for use with any offence or you can put your own notes here.

Note 2

Has "preset notes" for use with any offence or you can put your own notes here.

You can also use the extra notes field for doing diagrams, attaching photos, and for writing extra notes. This field can be used after the ticket has been completed and finished.





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## P410

### Used vehicle with exemption from continuous licensing – parked vehicle

*Operated a motor vehicle by causing or permitting it to be on a road while an exemption from continuous licence under regulation 20 of the Land Transport (Motor Vehicle Registration & Licensing) Regulations 2011 was in force, Land Transport (Motor Vehicle Registration & Licensing) Regulations 2011, regulation 88(b) Fee \$200*

#### Department Guidelines

Must be Motochecked

#### Handhelds

Note: If the expiry date is before the infringement issue date and the licence type is still on exemption the offence is a P402 unlicensed motor vehicle.

Offence Type - Non time offence

OPERATED A MOTOR VEHICLE ON A ROAD WHILE EXEMPT FROM CONTINUOUS LICENSING

Vehicle on Exemption

Driver returned - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.

A photo is required showing vehicle in position.

Note 1

Has "preset notes" for use with any offence or you can put your own notes here.

Note 2

Has "preset notes" for use with any offence or you can put your own notes here.

You can also use the extra notes field for doing diagrams, attaching photos, and for writing extra notes. This field can be used after the ticket has been completed and finished.

#### Registration details

Date first registered in NZ:	09/04/2003	Registration status:	Active
Date first registered overseas:	12/1995	Plate type:	Standard
Licence expiry date:	11/07/2015	Licence type:	Exemption
Licence issue date/time:	12/03/2015 09:45	Continuous licence:	Yes
Cause of latest registration:	Used	Usage:	Private Passenger



23@15:37:57



2015/04/23@15:37:47

Notes:

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# P411

## Current licence label not affixed in prescribed manner – parked vehicle

*Operated a motor vehicle on a road when the current licence issued to the vehicle and appropriate for its use was not affixed to it in the manner prescribed by the Land Transport (Motor Vehicle Registration & Licensing) Regulations 2011*  
*Land Transport (Motor Vehicle Registration & Licensing) Regulations 2011, regulation 77(2)(b)(ii) Fee \$200*

### Department guidelines

Photos of vehicle with plate, and front window with no licence label displayed. Even licence label holder empty if possible.(A warning may be more applicable for this offence).

### Handheld

Offence Type - Non time offence

P411

CURRENT LICENCE LABEL NOT AFFIXED IN PRESCRIBED MANNER

Fill out any notes that you may think you need to after the print screen in the available fields, as you scroll through.

Driver returned - Yes/No

Note 1

Has "preset notes" for use with any offence or you can put your own notes here.

Note 2

Has "preset notes" for use with any offence or you can put your own notes here.

You can also use the extra notes field for doing diagrams, attaching photos, and for writing extra notes. This field can be used after the ticket has been completed and finished.

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## P508

### Parked on a Clearway

*Being the driver or person in charge did park a vehicle on a road contrary to the terms of "clearway" signs erected by the road controlling authority S.40 Land Transport Act 1998 & r.4 Offences & Penalties Regs 1999 & 6.4(1) Road User Rule 2004, Fee \$60*

Parking contrary to notice, traffic sign, or marking

(1) A driver or person in charge of a vehicle must not stop, stand, or park the vehicle on any part of a road contrary to the terms of any notice, traffic sign, or marking maintained on or adjacent to the road by a road controlling authority and indicating that the stopping, standing, or parking of vehicles is prohibited, limited, or restricted.

### Department Guidelines

Enforcement Notices may only be issued 10 minutes after the restriction began until 5 minutes before they are to end

Department Policy Towing

Towing of vehicles may only take place 10 minutes after the restriction began until 20 minutes prior to the restriction ending if the tow cannot be completed 20 minutes prior to the end of the restriction then a notice only should be issued

All signs including the 'begin' and 'end' signs must be clear, in place and clearly define the area of restriction

The hours of application must be included on the notice in the Violation remark 1

If vehicle towed - Phone CSA to enter on tow register

### Handheld

Offence Type - Non time offence

DID PARK A VEHICLE ON A CLEARWAY CONTRARY TO ANY SIGN

VIOLATION REMARK 1

4pm-6pm Mon-Fri

7am-9am & 4pm-6pm Mon-Fri

7am-9am Mon-Fri

Fill out any notes that you may think you need to after the print screen in the available fields, as you scroll through.

Driver returned - Yes/No



Any significant conversation with the returning driver should be noted in the extra notes.

Note 1

Has "preset notes" for use with any offence or you can put your own notes here.

Note 2

Has "preset notes" for use with any offence or you can put your own notes here.

You can also use the extra notes field for doing diagrams, attaching photos, and for writing extra notes. This field can be used after the ticket has been completed and finished.



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## P923

### **Parked over a limit line marking parking space**

*Parked a vehicle on or over a marking indicating the limits of a parking space,  
Dunedin City Consolidated Bylaw 2008, clause 13.9.2 Fee \$40*

No person shall park a vehicle or vehicle combination in a parking space so that any part of that vehicle extends beyond any line defining that space unless by reason of its size it may be necessary for the vehicle to extend onto an adjoining and unoccupied parking space. If the parking spaces occupied by the vehicle combination are metered parking spaces the driver shall be liable to pay a parking fee for each space so occupied.

### **Department Guidelines**

A photo and measurements to be taken and recorded

Photos must be taken showing one clear tyre into the next park. and indicate all measurements if required.

### **Handheld**

Offence Type - Non time offence

PARKED OVER A LIMIT LINE MARKING PARKING SPACE.

SC/MC  
MC

Fill out any notes that you may think you need to after the print screen in the available fields, as you scroll through.

Driver returned - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.

Note 1

Has "preset notes" for use with any offence or you can put your own notes here.

Note 2

Has "preset notes" for use with any offence or you can put your own notes here.

Take photo of the position of the vehicle, and in your notes write why you are issuing the ticket.

You can also use the extra notes field for doing diagrams, attaching photos, and for writing extra notes. This field can be used after the ticket has been completed and finished.



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**P969**

## **Parked in area reserved for disabled persons**

*Did stop stand or park a vehicle in a parking area reserved for disabled persons when not entitled to do so, S.40 Land Transport Act 1998 & r.4 Offences & Penalties Regs 1999 & 6.4(1A) Road User Rule 2004 Fee \$150*

## **Departmental Guidelines**

An approved Mobility Parking Permit **must** be displayed on the front dash of any vehicle parked on a "Mobility only parking area" No exceptions nor dispensations are permitted.

approved disabled person's parking permit means a disabled person's parking permit or mobility parking permit—

- (a) issued by CCS Disability Action Incorporated or Sommerville Centre for Special Needs Wanganui Incorporated; or
- (b) approved by the territorial authority having control of the parking area

Overseas permits are recognised. (This is a Dunedin City Council guideline not a national one.)

## **Handhelds**

### **Offence Type - Non time offence**

PARKED IN AREA RESERVED FOR DISABLED PERSONS WHILE NOT DISPLAYING A VALID MOBILITY CARD

### **Violation remark 1**

INVALID CARD DISPLAYED

Fill out any notes that you may think you need to after the print screen in the available fields, as you scroll through.

Driver returned - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.

Note 1

Has "preset notes" for use with any offence or you can put your own notes here.

Note 2

Has "preset notes" for use with any offence or you can put your own notes here.

Take photo of position of vehicle, including the sign if possible.



You can also use the extra notes field for doing diagrams, attaching photos, and for writing extra notes. This field can be used after the ticket has been completed and finished.



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# Q301

## Displayed invalid parking receipt – Dunedin

*You did park a motor vehicle in a pay and display area displaying an invalid parking receipt*

*Dunedin City Consolidated Bylaw 2008, clause 13.5.1 Fee \$40*

### Department guidelines

Good notes required, eg: machine number where receipt is from and what the tariff is. Also the area it is in, and what the tariff is. Plus expiry time etc  
Eg all day receipt in 1 hour zone.

### Handhelds

Offence Type - Invalid pay/display

Fill out any notes that you may think you need to after the print screen in the available fields, as you scroll through.

Driver returned - Yes/No

Note 1

Has "preset notes" for use with any offence or you can put your own notes here.

Note 2

Has "preset notes" for use with any offence or you can put your own notes here.

You can also use the extra notes field for doing diagrams, attaching photos, and for writing extra notes. This field can be used after the ticket has been completed and finished.

Notes:

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## Q302

### **Parked in a Pay and Display Area in Excess of Maximum Time**

*You did park a motor vehicle in a pay and display area in excess of the maximum stay  
Dunedin City Consolidated Bylaw 2008, clause 13.5.2*

Infringement fees

**Parking offences Any parking offence involving parking on a road in breach of a local authority bylaw, in excess of a period fixed by a meter or otherwise, where the excess time is-**

Not more than 30 minutes \$12 or such lesser amount as fixed by the local authority.

More than 30 minutes But not more than 1 hour \$15 or such lesser amount as fixed by the local authority.

More than 1 hour But not more than 2 hours \$21 or such lesser amount as fixed by the local authority.

More than 2 hours But not more than 4 hours \$30 or such lesser amount as fixed by the local authority

More than 4 hours But not more than 6 hours \$42 or such lesser amount as fixed by the local authority

*More than 6 hours \$57 or such lesser amount as fixed by the local authority*

### **Department Guidelines**

On all occasions if an illegally parked vehicle is attended, the occupants must be given the opportunity to rectify their offending.

### **Pay and Display Areas are not to be chalked prior to or after their enforcement hours**

Ensure that all signs are in place, correct and clearly define the area of application if they are not then no notice may be issued

For all notices issued under this code a check should first be carried out at the machine to ensure that all labels pertaining to maximum time restrictions are clear and intact , if they are not then no offence is being committed

For this offence the following should be recorded Location, Receipt expiry time and Machine number

A Q302 may only be issued a minimum of 30 minutes after a Q303 (Expired Pay and Display)

If the chalk mark is in any way disturbed **do not** issue a notice, re-chalk

## **Handhelds**

Parked in a Pay And Display area in excess of the maximum stay.

Excess max pay/display

Offence code will be populated once the "from time" has been entered and as you continue. **From time is the time you chalked the vehicles tyre.**

**OFFENCE** (pre populated)

32T30

PARKED IN A PAY & DISPLAY AREA IN EXCESS OF THE MAXIMUM STAY FOR NO MORE THAN 30 MINUTES

32T60

PARKED IN A PAY & DISPLAY AREA IN EXCESS OF THE MAXIMUM STAY ( MORE THAN 30 MINUTES BUT NO MORE THAN 1 HOUR)

32T120

PARKED IN A PAY & DISPLAY AREA IN EXCESS OF THE MAXIMUM STAY ( MORE THAN 1 HOUR BUT NO MORE THAN 2 HOURS)

32T240

PARKED IN A PAY & DISPLAY AREA IN EXCESS OF THE MAXIMUM STAY ( MORE THAN 2 HOURS BUT NO MORE THAN 4 HOURS)

32T360

PARKED IN A PAY & DISPLAY AREA IN EXCESS OF THE MAXIMUM STAY ( MORE THAN 4 HOURS BUT NO MORE THAN 6 HOURS)

32T999

PARKED IN A PAY & DISPLAY AREA DISPLAYING AN EXPIRED PARKING RECEIPT ( MORE THAN 6 HOURS)

Fill out any notes that you may think you need to after the print screen in the available fields, as you scroll through.

Driver returned - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.

Photo of chalk mark and the vehicle in position

Note 1



Has "preset notes" for use with any offence or you can put your own notes here.

Note 2

Has "preset notes" for use with any offence or you can put your own notes here.

You can also use the extra notes field for doing diagrams, attaching photos, and for writing extra notes. This field can be used after the ticket has been completed and finished.



Notes:

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## Q303

### **Parked in a Pay And Display area displaying an expired parking receipt**

*You did park a motor vehicle in a pay and display area displaying an expired parking receipt, Dunedin City Consolidated Bylaw 2008, clause 13.5.2*

Infringement fees

**Any parking offence involving parking on a road in breach of a local authority bylaw, in excess of a period fixed by a meter or otherwise, where the excess time is-**

Not more than 30 minutes \$12 or such lesser amount as fixed by the local authority.

More than 30 minutes But not more than 1 hour \$15 or such lesser amount as fixed by the local authority.

More than 1 hour But not more than 2 hours \$21 or such lesser amount as fixed by the local authority.

More than 2 hours But not more than 4 hours \$30 or such lesser amount as fixed by the local authority

More than 4 hours But not more than 6 hours \$42 or such lesser amount as fixed by the local authority

*More than 6 hours \$57 or such lesser amount as fixed by the local authority*

### **Departmental Guidelines**

Council guidelines are 10 minutes grace before writing a Pay and display offence.  
(law requires 5 minutes)

### **Handhelds**

Offence Type - Expired Pay and Display

Offence code is automatically preset on handheld to 10 minutes. Offence code can be changed using the "from time"(this is for \$12 tickets )

If you are changing the "from time" It is 10 minutes after the expiry time of the pay and display receipt, if the vehicle was chalked before the expiry time.

If the vehicle is chalked after the expiry time of the pay and display receipt, the "from time" must be taken from 10 minutes after the chalk time. (This only applies for tickets \$15 and above)

OFFENCE

33T30

PARKED IN A PAY & DISPLAY AREA DISPLAYING AN EXPIRED PARKING RECEIPT FOR NO MORE THAN 30 MINUTES

33T60

PARKED IN A PAY & DISPLAY AREA DISPLAYING AN EXPIRED PARKING RECEIPT ( MORE THAN 30 MINUTES BUT NO MORE THAN 1 HOUR)

33T120

PARKED IN A PAY & DISPLAY AREA DISPLAYING AN EXPIRED PARKING RECEIPT ( MORE THAN 1 HOUR BUT NO MORE THAN 2 HOURS)

33T240

PARKED IN A PAY & DISPLAY AREA DISPLAYING AN EXPIRED PARKING RECEIPT ( MORE THAN 2 HOURS BUT NO MORE THAN 4 HOURS)

33T360

PARKED IN A PAY & DISPLAY AREA DISPLAYING AN EXPIRED PARKING RECEIPT ( MORE THAN 4 HOURS BUT NO MORE THAN 6 HOURS)

33T999

PARKED IN A PAY & DISPLAY AREA DISPLAYING AN EXPIRED PARKING RECEIPT ( MORE THAN 6 HOURS)

Fill out any notes that you may think you need to after the print screen in the available fields, as you scroll through.

Driver returned - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.

Note 1

Has "*preset notes*" for use with any offence or you can put your own notes here.

Note 2

Has "*preset notes*" for use with any offence or you can put your own notes here.

You can also use the extra notes field for doing diagrams, attaching photos, and for writing extra notes. This field can be used after the ticket has been completed and finished.

Notes:

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## R528

### Parked in a Reserved Area without Authority

*Stopped, stood or parked a vehicle on a part of the road contrary to the terms of a traffic sign, notice or road marking, S.40 Land Transport Act 1998 & r.4 Offences & Penalties Regs 1999 & 6.4(1) Road User Rule 2004, Fee \$40*

Parking contrary to notice, traffic sign, or marking

(1) A driver or person in charge of a vehicle must not stop, stand, or park the vehicle on any part of a road contrary to the terms of any notice, traffic sign, or marking maintained on or adjacent to the road by a road controlling authority and indicating that the stopping, standing, or parking of vehicles is prohibited, limited, or restricted.

**R528B** - Pay and Display Areas

**R528C** - Residential Parks

**R528D** - Leased Carparks

**R528G** - Motorcycle Parks

**R528H** - Construction Zones

**R528I** - Authorised vehicle zone

### PAY AND DISPLAY AREAS

Receipt is the authority to park. There must be signs clearly defining the area.

### RESIDENTIAL PARKING CONDITIONS OF USE

1. Businesses or home businesses are not eligible to apply.
2. Permit holders are entitled to park in the designated area upon meeting the criteria and the payment of the fee.
3. Proof of residence must be provided upon application, eg rates account or tenancy agreement.
4. If the eligibility is met, the application is matched to the closest available residential parking area, and a permit issued.
5. Council cannot provide any assurance that a residential park will be immediately available.
6. One permit per residence is normally issued
7. A second permit per residence may be issued.
8. Display of the permit is required on the right-hand side of the rear window of the vehicle.
9. Permits are issued for up to 12 months.
10. All permits have an expiry date of 30 November each year.
11. The permit fee is \$180.00 (incl GST) for 12 months or on a pro rata per month basis for the remaining year to 30 November
12. Unless renewed on or before expiry, the permit and all entitlements cease.
13. Permits are valid only in the street block specified.
14. Refunds will not be made.
15. Permits may be cancelled and/or refused if a resident has contravened the conditions of use or supplied false information.
16. The permit does not provide exemption from relevant regulations or bylaws.

17. Residents parking areas are located at the discretion of Council.
18. Residential parking areas may also be made available for time restricted parking.
19. The Council may alter charges or location of parking spaces following one month's notice to affected permit holders.
20. The Council reserves the right to alter the eligibility, conditions and operation of the scheme, subject to reasonable notice to permit holders.
21. Residents parking areas will be reviewed quarterly to meet demands.
22. Permit holders are not allocated a specific parking space for the use of their vehicle.
23. Permit holders are not guaranteed a parking space at any time.
24. Permit holders are not authorised to arrange for vehicles to be towed away.

## LEASED CARPARKS

### AGREEMENT AS TO RENTAL OF PARKING SPACE

AN AGREEMENT BETWEEN THE DUNEDIN CITY COUNCIL (herein after referred to as "the Council") AND THE LICENSEE NAMED IN THE SCHEDULE ("the Licensee"). WHEREBY the Council agrees to grant to the Licensee who agrees to take for car parking purposes only a licence of the parking space ("the parking space") in the rental carpark set out in the schedule on the following terms and conditions:

1. The Licensee will pay the full rental set out in the schedule monthly in advance by automatic payment or otherwise as agreed. Such payment shall be made by the 20<sup>th</sup> day of the month preceding the month to which the payment relates. The minimum rental payment shall be for a period of one month. The rental may be increased by the Council from time to time by one month's notice in writing to the Licensee.
2. This agreement shall continue until cancelled by either the Council or the Licensee giving to the other at least fourteen (14) days notice in writing that the agreement is to cease at the end of a specified month (i.e. if your lease starts on the 1<sup>st</sup> your lease will then end on the 1<sup>st</sup>). Where notice of cancellation of the agreement is given by post, the notice shall be deemed to have been received on the day following posting. The Licensee shall be liable for the rental until the expiration of the notice period. On cancellation the rental paid in advance shall be apportioned and a refund made if applicable.
3. AT the commencement of this agreement the Council shall supply to the Licensee a current identification label which shall be displayed on the rear window of the vehicle to be parked in the designated parking space.
4. ONLY the vehicle/s with the particulars set out in the schedule shall be licensed to park in the parking space during the hours outlined in the schedule. Those parks that have been designated VISITOR/CUSTOMER car parking by the Licensee will not be enforced by Council.
5. THE Licensee shall not under any circumstances:
  - (a) Permit any vehicle not referred to in the schedule to park in the parking space
  - (b) Park in any other parking space in the rental carpark unless authorised in writing by the Council

6. THE Council may at any time by itself or by any licensed vehicle recovery service and without prior notice tow away from the parking space any vehicle not referred to in the schedule. The owner or person lawfully entitled to possession or driver of the vehicle towed away will have to pay all fees incurred in the towing away of the vehicle before that vehicle is released.
7. THIS Agreement is not assignable and the parking space cannot be sublet under any circumstances.
8. THE Council accepts no responsibility for any vehicle not referred to in the schedule parking in the parking space. Whenever an instance of unlicensed parking is discovered, the Licensee should forthwith contact Citifleet Parking Services on 474-3578 or providing full details of the unlicensed vehicle.
9. THE Council accepts no responsibility for any loss or damage suffered by the Licensee or by any vehicle or other property owned by the Licensee whether by negligence or otherwise while in the carpark.
10. THE Licensee will be responsible for any damage caused by the Licensee or any driver authorised by the Licensee to any of the Council's property in the rental carpark.
11. THE Licensee will park entirely within the Licensee's parking space and shall not obstruct any part of the rental carpark or any areas set apart as the entrance, exit or any part of the accessway within the carpark.

### **MOTORCYCLE PARKS**

Only areas with a sign designating an area as 'Motorcycles only' may be enforced if there is no sign there is no offence - road markings alone are not sufficient.

### **CONSTRUCTION ZONES CONDITIONS**

The applicant must apply to the Roading Department using an application form.

Construction Zones are only available for vehicles directly related to the work on a construction site i.e. loading/unloading, concrete pumping, crane erection etc.

Parking for private vehicles is not permitted.

Signs will be placed at each end of the limits of the Construction Zone with arrow indicators. The sign will be of the form "AUTHORISED VEHICLES ONLY - CONSTRUCTION ZONE ". Alternatively, the area can be defined by use of an "In this area" supplement sign in conjunction with a yellow painted parking box.

The signs will comprise of red lettering on a white background in the style of regulatory parking signs.

The cost of the installation, maintenance, removal and reinstatement of all signs and road markings in the Construction Zone shall be met by the applicant.

The cost of the removal and reinstatement of any parking meters in the Construction Zone shall be met by the applicant.

The cost of reinstatement of the site to its original condition including the cost of repairs for damage to the road surface or street furniture, shall be met by the applicant. This cost will be determined by the Roading Manager, or the delegated representative and is non-negotiable.

If the area required has parking meters or time restricted parking as its original configuration, a charge of \$30.00 + GST per week per 6.0 metre of frontage space shall be met by the applicant.

If the area has unrestricted parking as its original configuration, a charge of \$30.00 + GST per week per Construction Zone shall be met by the applicant

Charges for Construction Zones will be issued by Citifleet and the account settled on a monthly basis.

Citifleet will issue permits and enforce the area. Applicants are not authorised to arrange for vehicles to be towed away.

One permit for each 6.0m parking space in the Construction Zone area will be issued free of charge. Each additional or replacement permit will cost \$12 inc. GST.

All vehicles parked in the Construction Zone area must display a permit.

Construction Zones will not be allowed in the following locations:

- Within 6.0 metres of non-signalised intersections.
- On "no stopping" areas such as approaches to controlled intersections and areas where parking or obstruction would cause safety concerns.
- Where a Construction Zone would cause 'serious disadvantage' to frontage occupiers.
- In any area where traffic safety is being compromised.
- Where pedestrian access and/or safety is affected or 'seriously inhibited'.
- On any approach or within a minimum of 25 metres of a standard signalised intersection.

Decisions on the above will be made by the Roading Manager through delegation to subordinate officers.

## **AUTHORISED VEHICLES' PARKING SCHEME**

'Authorised Vehicles' parking areas are provided to assist delivery vehicles to load or unload goods with minimum disruption to other road users, they are not to be used by people for the purpose of banking, buying and selling of goods or while providing or engaging in any other service except the pick up or delivery of goods.



**Conditions of use:**

- 1) The maximum permitted period a vehicle may stay on an 'Authorised Vehicles' parking area is "**20 minutes**".
- 2) Permits are only valid in the areas specified
- 3) Permits must be displayed in the position specified, **a permit is invalid if it is not displayed correctly.**
- 4) Permits are non refundable and cannot be transferred to another vehicle, business or individual.
- 5) Permits do not provide you with an exemption from any parking statute or by-law.
- 6) Permits do not authorise you to arrange for other vehicles to be towed.
- 7) Permits do not guarantee a parking space
- 8) Permits are valid for 12 months from 01 July to 30 June.  
New applications received between, 01 April to 30 June shall be for a period not exceeding 15 months, fee (pro rata). It is the permit holder's responsibility to renew the permit no reminder notice will be sent.  
Permit **renewals** may be made by calling the Customer Services Agency, Ph.477 4000.
- 9) Failure to comply with the 'conditions of use' of the Authorised Vehicle Parking Scheme may lead to the cancellation of a permit.

The Council reserves the right to cancel any permit at any time.

*The Person or Company applying for a permit is responsible for insuring that the driver/ drivers of the vehicle with the permit are aware of these conditions.*

**Fees:**

Fees are reviewed annually (pro rata)

For fee information, refer to the list of Councils "Fees and Charges" in the Annual Plan or visit [www.dunedin.govt.nz](http://www.dunedin.govt.nz)

**How to apply:**

An application form is available at any Dunedin City Council Customer Services Centre or visit [www.dunedin.govt.nz](http://www.dunedin.govt.nz)

**Enquires:**

Telephone Customer Services Agency 477 4000 or visit [www.dunedin.govt.nz](http://www.dunedin.govt.nz)



## Handhelds

Non time offence.

R528 B - DID PARK A VEHICLE IN A RESERVED AREA

### **Violation Remark 1**

**PAY & DISPLAY PARKING AREA**

### **Violation Remark 2**

NO VALID RECEIPT DISPLAYED  
RECEIPT FACEDOWN

Distance from sign approx.

Sign Position - FRONT/REAR/RIGHT/LEFT

Signs/ Markings - SC/MC

Receipt Displayed - Y/N

Chalk mark - RF/LF/RR/LR

Driver returned – Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.

A photo is required showing the vehicle in position



## **DID PARK A VEHICLE IN A RESERVED AREA**

### **Violation Remark 1**

AUTHORISED RESIDENTS VEHICLES ONLY IN THIS AREA AT ALL TIMES

### **Violation Remark 2**

NO VALID PERMIT DISPLAYED

Distance from sign approx.

Sign Position - FRONT/REAR/RIGHT/LEFT

Signs/ Markings - SC/MC

Driver returned - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.

A photo is required showing the vehicle in position



## R528 D - DID PARK A VEHICLE IN A RESERVED AREA

### Violation Remark 1

LEASED CARPARK AUTHORISED VEHICLES ONLY

### Violation Remark 2

NO VALID PERMIT DISPLAYED

Distance from sign approx.

Sign Position - FRONT/REAR/RIGHT/LEFT/ ENTRANCE

Signs/ Markings - SC/MC

Driver returned - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.

A photo is required showing the vehicle in position



## R528 G - MOTORCYCLES ONLY

### Violation Remark 1

MOTORCYCLES ONLY

Distance from sign approx.

Sign Position - FRONT/REAR/RIGHT/LEFT

Signs/ Markings - SC/MC

Driver returned - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.

A photo is required showing the vehicle in position





## R528H - CONSTRUCTION ZONE AUTHORISED VEHICLES ONLY

DID PARK A VEHICLE IN A RESERVED AREA

### Violation Remark 1

CONSTRUCTION ZONE AUTHORISED VEHICLES ONLY

### Violation Remark 2

NO VALID PERMIT DISPLAYED

Distance from sign approx.

Sign Position

FRONT/REAR/RIGHT/LEFT

Signs/ Markings

SC/MC

Driver returned - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.

A photo is required showing the vehicle in position



**R528I – AUTHORISED VEHICLES ONLY AREA**

DID PARK A VEHICLE IN A RESERVED AREA

**Violation Remark 1**

AUTHORISED VEHICLES, ONLY IN THIS AREA, AT ALL TIMES

**Violation Remark 2**

NO VALID PERMIT DISPLAYED

BREACHED CONDITIONS OF PERMIT

PARKED IN EXCESS OF 20 MINUTES

Distance from sign approx.

Sign Position

FRONT/REAR/RIGHT/LEFT

Signs/ Markings

SC/MC

Driver returned - Yes/No

Any significant conversation with the returning driver should be noted in the extra notes.

A photo is required showing the vehicle in position



Note: 1

Has "preset notes" for use with any offence or you can put your own notes here.

Note: 2

Has "*preset notes*" for use with any offence or you can put your own notes here.

Take photo of position of vehicle showing yellow lines.

You can also use the extra notes field for doing diagrams, attaching photos, and for writing extra notes. This field can be used after the ticket has been completed and finished.

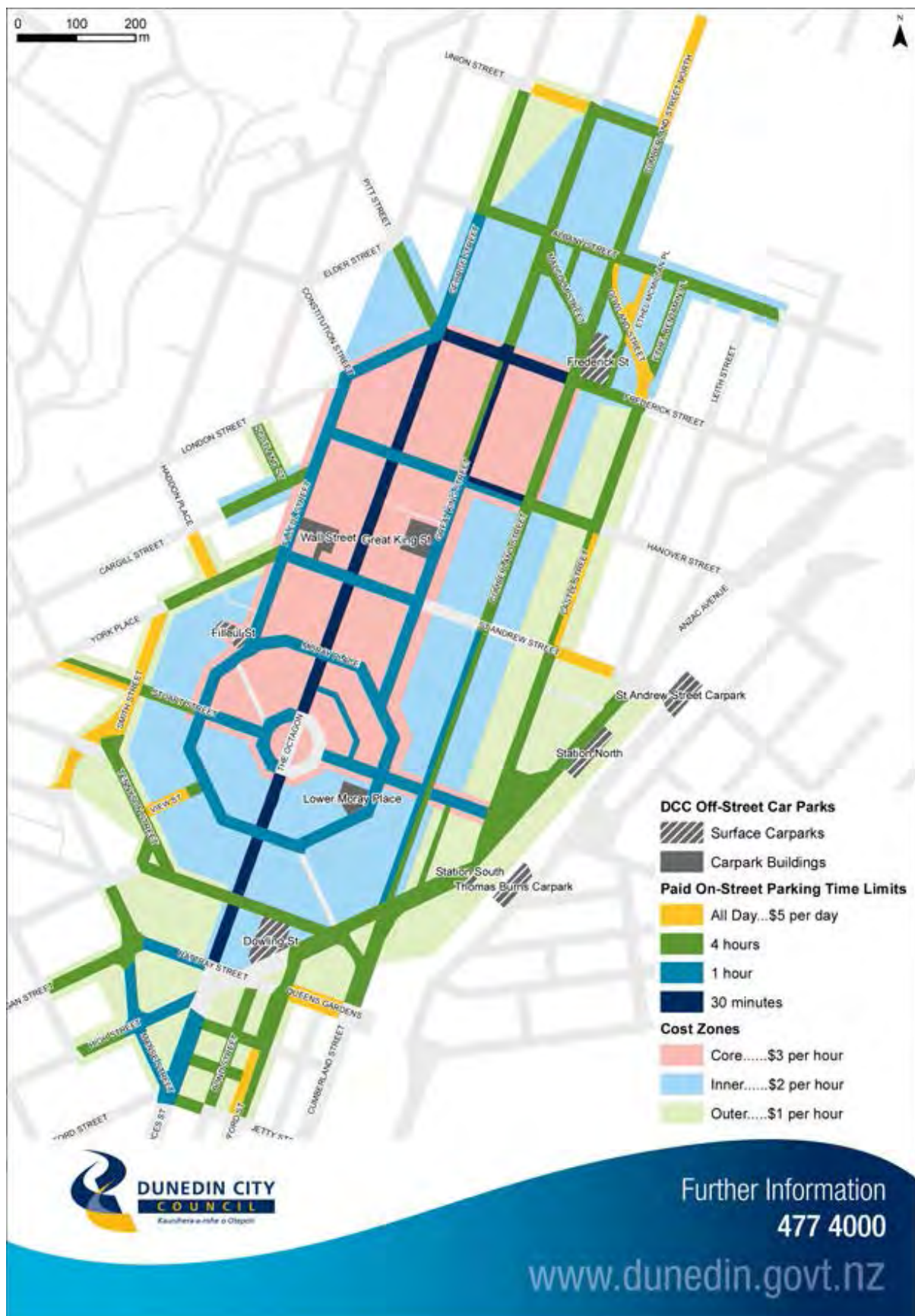
Notes:

This image shows a full page of white paper with horizontal dashed lines, typical of primary school writing paper. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

<b>P101</b>	<b>Parked in an intersection</b>
<b>P102</b>	Parked within 6m of an intersection
<b>P104A</b>	Parked on a pedestrian crossing
<b>P104B</b>	Parked within 6m of a pedestrian crossing
<b>P105</b>	No stopping area
<b>P107</b>	Broken Yellow Lines
<b>P108A</b>	Bus stop
<b>P108B</b>	Taxi stand
<b>P110</b>	Obstructing a vehicle entrance
<b>P111</b>	Fire Hydrant
<b>P113</b>	Double parking
<b>P114</b>	Facing the wrong direction
<b>P115</b>	Footpath
<b>P117</b>	Inconsiderate parking
<b>P124</b>	Facing the wrong direction one way street
<b>P128</b>	Cycleway
<b>P132</b>	Bus unattended on a bus stop
<b>P134</b>	Ornamental grass plot, shrub or flower bed
<b>P135</b>	Pick up and drop off area
<b>P508</b>	Clearway
<b>P923</b>	Parked over a limit line
<b>P969</b>	Mobility park
<b>P401</b>	Vehicle not Registered
<b>P402</b>	Vehicle unlicensed
<b>P410</b>	Vehicle on exemption
<b>C101</b>	WOF
<b>C201</b>	COF
<b>R528B</b>	Pay & Display
<b>R528C</b>	Residents Park
<b>R528D</b>	Leased Car park
<b>R528G</b>	Motorcycle Park
<b>R528H</b>	Construction Zone
<b>R528I</b>	Authorised Vehicle Park



## Pay and Display Map





<b>CARPARK</b>	<b>STATUS</b>	<b>LOCATION</b>
<b>Harrop Street</b>	Leased	Opp Town Hall
<b>Filluel Street</b>	Casual, Pay and Display	Opp Town Hall
<b>Filleul Street</b>	Leased	Opp Town Hall
<b>York Place</b>	Leased	Behind Filleul St Car park
<b>YMCA</b>	Building	Moray Place
<b>Dowling Street</b>	Leased	Opp Les Mills
<b>Dowling Street</b>	Casual, Pay and Display	Opp Les Mills
<b>Queens Gardens</b>	Leased	Opp Les Mills
<b>Crawford Street</b>	Leased	Cnr Vogel and Water Streets
<b>Station South</b>	Leased	High Street
<b>Station South</b>	Casual, Pay and Display	High Street
<b>Station North</b>	Casual, Pay and Display	Anzac Avenue
<b>Station</b>	Leased	Anzac Avenue
<b>St Andrew Street</b>	Casual, Pay and Display	Near Train Tracks
<b>Thomas Burns Street</b>	Leased	Behind Railway Station
<b>Thomas Burns Street</b>	Leased	Behind Railway Station
<b>Frederick Street</b>	Casual, Pay and Display	Opp Hayward Hall
<b>Gt. King Street</b>	Building	Opp Centre City
<b>Rankeilor Street</b>	Leased	South Dunedin
<b>Rankeilor Street</b>	Casual P120	South Dunedin
<b>Cameron Street</b>	Casual P120	South Dunedin
<b>Shand Street</b>	Casual	Green Island
<b>Church Street</b>	Casual P60	Mosgiel
<b>Bush Road</b>	Casual	Mosgiel
<b>Lanark Street</b>	Casual	Mosgiel
<b>George Street</b>	Casual	Port Chalmers



# Schemes and Permits



# 75+ parking permit

*This page provides information about conditions of, how to apply for and parking locations for the 75+ Parking Scheme.*

The 75+ Parking Permit allows drivers aged 75 years and over to park for free in Pay & Display meters, both on street and in DCC carparks, up to the maximum stay.

## How do I apply for a permit?

You need to fill out the form from the **related information section**, completed and verified.

Your driver's license as proof of a valid drivers license and date of birth and proof of residency eg. utility account, rates account, tenancy agreement etc, will need to be provided.

You can get your application verified at the DCC Customer Service Centre, or at the offices of Age Concern or Grey Power or by any DCC Parking Officer.

Once you have applied, we will post the permit to you within five working days. There is no charge for this permit.

## Conditions of a 75+ Parking Permit

This concession is only available to residents of Dunedin City and can only be used by the applicant and the vehicle stated on the permit.

You must be 75 years or older on the day of application and hold a current New Zealand driver's license.

Permits are issued for a period of 5 years, you will have to renew the permit when it expires as no reminder will be sent.

When you are using the permit, it must be clearly displayed, preferably, on the dash of your vehicle and visible from the outside.

You only need to display one permit in the vehicle, even if there is more than one permit issued for the vehicle

It is your responsibility to inform the DCC Customer Service Agency of any change of address, change of vehicle and if the permit no longer required.

## Free parking locations with the permit

The permit is only for DCC Pay and Display parking areas, both on and off street.

All Pay and Display machines have a time limit on them. Your permit allows you to park free of charge for the time stated on the machine, after which you must move your car.

The permit does not allow you to park free of charge in any:

- Bus stops
- Taxi stands
- Clearways
- Loading zones
- Residential parks
- Leased car parks
- Other restricted parks



# Authorised Vehicle Permit Scheme

*This page contains information about the Authorised Parking Scheme including conditions and how to apply.*

Authorised Vehicle permits are to assist delivery vehicles to load or unload goods, with minimum disruption to other road users in the CBD.

These areas are not intended to be used for longer term parking periods, and are not available to companies for the purpose of Merchandising, Companies Reps calling on clients, doing the banking etc.

## Conditions of Authorised Vehicle Permit Scheme

- Are non-refundable and cannot be transferred to another vehicle business or individual.
- Do not guarantee a parking space.
- Do not provide you with an exemption from parking statute or bylaw.
- Do not authorise you to arrange for other vehicles to be towed
- Are only valid in the areas specified
- The maximum permitted period you may stay is 20 minutes. For periods which exceed this you must contact the Customer Services Agency on 477 4000

## Other information

A vehicle inspection or investigation may be undertaken before approving the permit. We may also consult with other DCC departments to verify any information you have provided.

## How to apply for a permit

Download and print the **Authorised Vehicle Permit Scheme Application form** from the related information area below and either:

- Mail to Dunedin City Council, PO Box 5045, Moray Place, Dunedin 9058, or
- Hand deliver to the Customer Service Centre, Ground Floor Civic Centre, The Octagon.

**Authorised Vehicle Zone Permit**

Permit (annually)	\$26.00
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## When you have your permit

You need to display the permit in the position specified by the issuing officer. You also need to remember to follow all parking regulations and bylaws. We may revoke your permit if you contravene the conditions of use or are found to have supplied false information.

# Mobility Parking Scheme

*This page provides details about the Mobility Parking Scheme including conditions, use and how to apply.*

If you have limited mobility, and it affects your ability to get around the city, you may be eligible for a mobility-parking permit. For an application form and information pamphlet, contact CCS Disability Action

Mobility parking permit holders can use mobility parking spaces, which are wider than standard parks and closer to venues. These spaces are marked with the disability symbol, and in many areas are now painted blue.

## Who is involved the scheme?

- CCS Disability Action and Sommerville Centre for Special Needs Wanganui Incorporated manage and issue permits, and advocate to improve the scheme
- Doctors or GPs assess people to determine their eligibility
- Local councils provide and monitor on-road parking spaces
- New Zealand Transport Agency (NZTA) manages the legislation around parking requirements and fines

## What your mobility permit entitles you to

Displaying a mobility card entitles the driver to ONE hour free parking in all P&D parks (including 30 minute parks) and any time restricted area P30 and longer. It does not allow for extra parking in P5s or P10s or for parking in other restricted parks (Authorised vehicles only, Residents Parks etc).

One free hour applies to all pay and display parks - if the driver is parking for no longer than one hour, no payment is required. However maximum stay periods must be adhered to and any time required over and above the first hour free must be paid for.

Permits must be displayed. If the permit is not displayed, there is no right to use mobility parks or to gain the concessions.

Some mobility permit parks have a time limit stated on the sign and drivers may only stay for this period of time.

## Mobility Parking Exemption scheme

This scheme is administered by Dunedin City Council and provides enhanced mobility parking concessions to residents of Dunedin City who hold an \*approved disabled person's parking permit or mobility parking permit and experience difficulties in accessing the pay and display parking meters.

\*Land Transport Road user Rule 2004 1.6 Interpretations - approved disabled person's parking permit means a disabled person's parking permit or mobility parking permit -

- (a) issued by CCS Disability Action Incorporated or Sommerville Centre for Special Needs Wanganui Incorporated; or
- (b) approved by the territorial authority having control of the parking area.

## Who can apply for an exemption?

You must:

- Be the holder of an approved disabled persons parking permit or mobility parking permit
- Be a resident of Dunedin city
- Be the owner and driver of a motor vehicle
- Use a wheelchair or other mechanical device used for mobility or
- Be a little person (be of small stature) or
- Be unable to walk more than 100m unaided (walking frame, crutches etc)

## Permit Concessions

This permit allows the driver (cardholder) to park without payment on any on street 'Pay and Display' area or DCC off street carpark with 'Pay and Display' machines **for the maximum permitted period.**

The maximum permitted period for all pay and display areas is displayed on the pay machines, on street signage, or at the entrance to off street carparks.

The permit does not provide you with an exemption from parking statute or bylaws, or allow you free parking in any parking building except the Library Car park.

You may download the application form from the **related information section** below.

## Display of Permit

The disabled person's parking permit or mobility parking permit must be displayed on the dash of the vehicle and must have the approved parking exemption label attached, failure to display the permit negates any right to parking concessions.

The number of the Mobility parking permit and the DCC parking permit must match to be entitled to the parking concessions.

## General

- The permit may only be used if the permit holder is the driver of the vehicle.
- It is the permit holder's responsibility to inform the DCC of any change of circumstances which may affect eligibility (change of address, loss of applicants ability, license to drive etc)

## Where are the mobility parks

### City centre

- Cumberland Street Central (between Hanover Street and Frederick Street)
- Dunedin Public Library Parking Building
- Filleul Street (between Moray Place and St Andrew Street)
- Frederick Street Car Park (between Cumberland Street Central and Clarendon Street)
- Great King Street Parking Building
- Great King Street (between Frederick Street and Malcolm Street)
- Great King Street (between Hanover Street and Frederick Street)
- Moana Pool (directly in front of Pool)
- Moray Place (between George Street and Great King Street)
- Moray Place (between George Street and Filleul Street)
- Moray Place Parking Building - Lower (between Stuart Street and Burlington Street)
- Moray Place Parking Building - Upper (between Stuart Street and View Street)
- Octagon (between George Street and Stuart Street Lower)
- Queens Garden (SH1) (between Burlington Street and Rattray Street)
- Railway Station (between Anzac Avenue and High St (SH1))

### Off Street Pay and Display Carpark Locations (Exemption Scheme)

- Frederick Street - maximum permitted period 4hrs
- Dowling Street - maximum permitted period 4hrs
- Filleul Street - no time limit
- Railway Station North - no time limit
- St. Andrew Street - no time limit
- Thomas Burns - no time limit
- Library Carpark - maximum permitted period 1hr

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## University area and North Dunedin

- Albany Street (between Ethel Benjamin Place and Grange Street)
- Albany Street (between Forth Street and Riego Street)
- Albany Street (between Leith Street and Hyde Street)
- Botanic Gardens Car Park (Cumberland Street North between Great King Street and Duke Street)
- Clyde Street (between Albany Street and Union Street East)
- Cumberland Street North (between Albany Street and Union Street West)
- Forth Street (between Union Street East and St David Street)
- Harbour Terrace (between Union Street East and St David Street)
- Parry Street (between Anzac Ave and Minerva Street)
- Great King Street (between Pine Hill Rd (SH1) and Bank St)

## Dunedin South and Esplanade

- Esplanade (between Forbury Road and Beach Street)
- Forbury Road (between Victoria Road and Esplanade)
- King Edward Street (between Lorne Street and McBride Street)
- Rankeilor Street Car Park
- St Clair Salt Water Pool (Second Beach Road, and the St Clair Salt Water Pool access road)

## Mosgiel

- Gordon Rd Sh87 (between Cargill St and Lanark St)
- Lanark St (between Irvine St and Gordon Rd (SH87))

# Parking on footpaths

*The page lists streets where you can park your car with two wheels on the footpath.*

Dunedin has a lot of narrow streets where it is impractical to have parking on both sides of the road. It is important emergency vehicles can access these streets, but we recognise that residents and their visitors should be able to park near their homes.

In 2007, we assessed narrow road sections around Dunedin city. Following this assessment, we designated 22 sections of road where parking on the footpath is allowed.

Vehicles parked on the footpath can block pedestrians, often forcing them into the road to pass the vehicle. This is of particular concern for people with pushchairs or people with mobility or vision impairments.

If you are concerned about a vehicle illegally parked on the footpath, phone us on 03 477 4000.

## Places you can park on the footpath

The list of streets below shows where you can park your car with two wheels on the footpath. The areas where this is allowed are indicated with signs and dotted white lines on the footpath.

Street	Between
Appold Street	Cross Street and Carson Street
Brownville Crescent	Highgate and the bend
Charlotte Street	Highgate and City Road
Dacre Court	Forfar Street to end



Dee Street	Craigleith Street and Frame Street
Eglinton Road	Haywood Street and 92 Eglinton Road
Erin Street	Erin St 38-28 on south side
Frame St	Frame St on south side
Gowry Place	Falcon Street and end
Henderson Street	Macnee Street and end
Henry Street	Chamberlain Street and Stonelaw Terrace
Hereford Street	Oates Street and Kaikorai Valley Road
Lancefield Street	Oakwood Avenue and Sydney Street
Maitland Street	No. 37 and No. 53
Quentin Avenue	Queen St and End
Radnor Street	Arnold Street and End
Shandon Street (PC)	Cove Street and Fraser Street
Taine Street	Craigleith Street and Montrose Street
Taine Street	Frame Street and Craigleith Street

Titan Street	Great King Street North and George Street
Ventnor Street	Springhill Road and Elgin Road
Ravensbourne Road	Nos 195 - 197 Nos 233 - 235 Nos 251 - 257 Nos 267- 275 Nos 279 - 281 Nos 287 - 289

# Parking Permits

*Permits are also used for reserving parking areas for building work or road work purposes, or if you need to park in an area to move furniture, objects etc. These are only available for goods vehicles except in exceptional circumstances.*

Permits are available to Service providers (Builders, Scaffolders, Electricians etc) for minimum of 1/2 day and a maximum of up to 1 Month. Half day permits are half the price of full day permits.

You can apply for a parking permit on the day required at the Customer Services Centre, Ground Floor, Civic Centre. For periods in excess of 1 month a written application may be required.

This table contains the fees and charges for the 2015/16 year.

Parking Permit Charges (minimum charge 1/2 day)	
Permit (1 day) except Octagon and George Street (Octagon – Albany Street)	\$20.00
Permit (1 day) Octagon and George Street (Octagon – Albany Street)	\$30.00
Permit (6 days) except Octagon and George Street (Octagon – Albany Street)	\$96.00
Permit (6 days) Octagon and George Street (Octagon – Albany Street)	\$144.00
Permit (month) except Octagon and George Street (Octagon – Albany Street)	\$400.00
Permit (month) Octagon and George Street (Octagon – Albany Street)	\$600.00

## Construction Parking Areas

For further details and applications please contact the Parking Enforcement Team Leader phone 477 4000.

<b>Construction Parking Areas</b>	
<b>Installation and Reinstatement of Area:</b>	
6m length	\$550.00
12m length	\$650.00
18m length	\$750.00
Investigation and administration	\$60.00
Relocation of pay and display machines.	\$900.00
<b>Monthly Hire:</b>	
<b>Monthly Hire, All zones except "Residential Zones" as defined in the Dunedin City District Plan:</b>	
6m length	\$250.00
12m length	\$500.00
18m length	\$750.00
<b>Monthly Hire, All "Residential Zones" as defined in the Dunedin City District Plan:</b>	

6m length	\$125.00
12m length	\$250.00
18m length	\$375.00

# Residents' Parking Scheme

*This page provides information about the Dunedin Resident's Parking Permit, how to apply and the associated costs.*

To be eligible for a residents parking permit, you will need to provide proof of residence when you apply. Businesses or home businesses are not eligible.

## Conditions of Residents Parking Permits

To be eligible for a residents' parking permit, you must:

- Reside in a "Residential Zone" as defined in the Dunedin City District Plan, which is affected by commuter parking.
- Reside in a lawfully established "Residential Unit" as defined in the Dunedin City District Plan.
- Own a motor vehicle
- Have fewer than 2 off street parking spaces per residential unit (includes garages, driveways and carports). This means that if you have one off street parking space, you can apply for one residents' parking space and if you do not have any off street parking, you can apply for up to two residents' parking spaces.

*\* "Residential unit" means a building or part of a building which is self contained at least in respect of sleeping, cooking, dining, bathing and toilet facilities, where one or more persons live together whether related or not, but excludes units where staff provide for more than 18 residents.*

## Other information

We may carry out a site inspection and investigation before approving an application. We may also consult with other DCC departments to verify any information you have provided.

## Residents Parking Permits

- Are non-refundable and cannot be transferred to another individual.
- Do not guarantee a parking space.

- Do not provide you with an exemption from parking statute or bylaws.
- Do not authorise you to arrange for other vehicles to be towed.
- Are not to be used for business purposes.
- Are only valid in the Street and Block specified.
- Motor vehicles must be registered, licensed and warranted, a permit does not exempt you from that responsibility.

## How to apply for a permit

You need to fill out an application form, supply proof of residency (eg: tenancy agreement) and proof of vehicle ownership. If the vehicle does not belong to you, a letter must be provided from the registered owner allowing you use of the vehicle.

When we have confirmed your residency, we will send you a letter asking you to come in to pick up and pay for your permit.

## When you have your permit

You need to display your permit on the bottom right hand side of your vehicle's rear window on the outside. We may revoke your permit if you contravene the conditions of use or are found to have supplied false information. You also need to remember to follow all parking regulations and bylaws.

## How long does the permit last for?

Permits are issued for 12 months from 1 December - 30 November. All permits expire on 30 November each year so you need to renew your permit on or before 30 November or you will have to reapply.

Permits are for 12 months from 1 December - 30 November. If you first apply after 1 October, your permit will be for the period until 30 November the following year - up to 14 months.

## Residents Parking charges

The fee is \$180 per annum pro rata. We review the fee annually. You need to pay the fee within 10 working days of notification that your application has been successful. Do not send the fee with your application.

We recover the costs of administering this scheme from permit charges.

## Replacement permits

If you need a new permit because you have changed vehicle, we can issue a replacement permit free of charge providing you bring in your old permit or parts of it if you are unable to remove it in one piece.

If you cannot supply any part of the old permit, a replacement permit will cost \$12.00

<b>Residents' Parking</b>	
Residents' parking permit (annually)	\$180.00
<b>Pro Rata Fees (Month of Application )</b>	
October	\$210.00
November	\$195.00
December	\$180.00
January	\$165.00
February	\$150.00
March	\$135.00
April	\$120.00
May	\$105.00
June	\$90.00
July	\$75.00



August	\$60.00
September	\$45.00

# Unwanted and abandoned vehicles

We have a service to deal with unwanted vehicles. This came about following the huge success of a month-long amnesty on unwanted and abandoned cars in November 2007. This service is designed to be proactive and hopefully will reduce the costs we incur dealing with abandoned vehicles around the city.

## If you would like an unwanted vehicle removed

Come into Customer Services. We will need to include a photocopy of your drivers' license with your application.

While there is a charge for this service, an amnesty on charges is currently in place. You will have to sign the vehicle over to us and it will be de-registered and disposed of. We will do checks to ensure that you are the owner and can sign over ownership.

We will contact you to organise collection of the vehicle. Your vehicle can be in any condition as long as it has no rubbish in it. It can be on your property, as long as a tow truck can get to it easily.

Abandoned Vehicle (Fees recovered from owner)	
Impound Fee	\$460.00
Storage (daily)	\$6.00
Unwanted Vehicle Removal	\$42.00

# **COMMERCIAL USE OF FOOTPATHS POLICY 2005**



# COMMERCIAL USE OF FOOTPATHS POLICY 2005

[http://www.dunedin.govt.nz/\\_data/assets/pdf\\_file/0004/132745/Commercial-Use-of-Footpaths-Policy-Aug-2012.pdf](http://www.dunedin.govt.nz/_data/assets/pdf_file/0004/132745/Commercial-Use-of-Footpaths-Policy-Aug-2012.pdf)

## 1.0 Introduction

The Dunedin City Council is committed to supporting and enhancing local business and an active street life. The use of footpaths for commercial purposes helps create a vibrant atmosphere in the city. However, the primary purpose of a footpath remains that as a place on which pedestrians can walk. This policy has been developed to allow businesses to utilise footpath space in a controlled and orderly manner while ensuring there is always a safe and unobstructed passage for pedestrians of all abilities and to ensure the visual amenity of our streetscapes is not detrimentally affected.

It is important to acknowledge that any commercial use of the public space is a privilege, not a right.

The policy will apply throughout the DCC geographical area wherever a formed, sealed footpath or road exists and should be read alongside the Roding Bylaw. It applies to all objects placed on the footpath or suspended over it up to a **height of 2.6 metres**. It does not apply to mobile traders.

## 2.0 Objective

To allow the use of Dunedin's footpaths for commercial purposes while maintaining a safe and unobstructed passage for pedestrians.

## 3.0 Allowable Activities

The following use of a footpath is allowable:

Placement of portable signs,

Display of goods and produce,

Placement of tables and chairs and planter boxes.

## 4.0 General Principles

4.1 The safety of all pedestrians, motorists, cyclists and other footpath and road users must be protected at all times.

4.2 A continuous accessible path of travel must be maintained 0.5m out from, and in line with, the front of the buildings to ensure a consistent reference for all users.

- 4.3 Objects shall generally be placed in close proximity to the kerb, and where appropriate, in line with other permanent obstructions on the footpath, e.g. lamp posts, rubbish receptacles.
- 4.4 No object in support of a commercial activity shall be placed on a footpath without prior, written approval from the Dunedin City Council.
- 4.5 All objects shall be constructed, fixed and placed in a manner so that they do not pose a danger to property or the public. This is the responsibility of the owner.
- 4.6 No object shall:
- a) be attached to any tree, pole, street furniture or other public utility,
  - b) obstruct the line of sight of any corner, bend or intersection,
  - c) obstruct, obscure or impair the view of any traffic signal or sign,
  - d) resemble, or likely to be confused with, any traffic signal or sign,
  - e) use reflective materials that may interfere with a road user's vision,
  - f) use flashing or revolving lights.
- 4.7 No object shall be placed in such a manner as to:
- a) obstruct access to or egress from any building,
  - b) obstruct any taxi stand, bus stop, loading zone or car park space,
  - c) obstruct the opening of car doors,
  - d) be placed within 2 metres of any road corner or intersection.
- 4.8 Signs less than **1.0m x 0.5m** in dimension may be secured against the front face of a building provided that they do not project onto or over the public footpath. These will be exempt from charges and approval.
- 4.9 A permit will be issued and must be displayed as agreed with DCC.
- 4.10 All objects shall be removed from the public place when the business with which they are associated is closed.
- 4.11 Objects that are found to cause a nuisance may be required to be removed in the interests of public safety.
- 4.12 The provisions of this policy **will not apply** where community group applications for events such as market days are approved.

## **5.0 Specific Provisions for Portable Signs and Screens**

- 5.1 Portable signs will be limited to one displayed on any street per business.
- 5.2 The approved location for portable signs shall be outside the premises to which they relate, **in close proximity to the kerb** and, where appropriate, in line with other permanent obstructions on the footpath, e.g. lamp standards, rubbish receptacles.
- 5.3 Approval may be granted for signs to be located on the premises side of the footpath in exceptional circumstances. The sign **must** be displayed in the approved location.
- 5.4 The maximum size for any sign shall be **0.8m high by 0.6m wide** (0.5m wide if approval is granted to place the sign on the building side of the footpath).

- 5.5 New signs shall have a maximum surface area of **0.5m<sup>2</sup>**.
- 5.6 All signs must have a stable, solid base that extends to at least the outer edges of the sign.
- 5.7 Applicants wishing to place a portable sign relating to a premises that does not have a street frontage may be granted a permit for such sign if the application is accompanied by the written permission of the adjoining premises occupier outside which the sign will be placed.
- 5.8 Only the approved metal and canvas type screen may be placed on the footpath.
- 5.9 Screens must be the same colour as existing Street furniture Black Bean BS5252 or black.
- 5.10 The maximum height of a screen is one metre and the minimum height is 0.8m, the maximum length of a screen is two metres, the minimum length is one metre.
- 5.11 Screens may display the name or logo of the business on either or both sides of the screen provided the signage does not exceed 0.5 square metres. No product advertising is permitted.
- 5.12 Signage may only be on two objects, either a portable sign and one screen or two screens
- 5.13 The number of screens permitted per premises, is the minimum required to define the extent of the area.
- 5.14 Screens may be placed along the kerb edge in areas where there is no kerb side parking, provided a one metre gap is maintained between any two screens where the overall length exceeds ten metres.
- 5.15 Screens may be placed at right angles to screens placed at the kerb provided they do not encroach on the pedestrian corridor.

## **6.0 Specific Provisions for the Display of Goods**

- 6.1 As an alternative to signs the display of goods may be used.
- 6.2 Approval may be given to display goods on a stand that is no wider than 0.5m and is **attached** to the front of the premises. A stand must be no higher than 1.8m and have a solid base extending to the outer edges of the display.
- 6.3 Applications will be assessed on a case-by-case basis.
- 6.4 An unobstructed pedestrian corridor 0.5m out from the premises front must be retained along the footpath parallel to the building line to ensure a continuous, accessible path for all people.
- 6.5 Goods may only be displayed outside the premises to which they relate.
- 6.6 Food displays must comply with any requirements of the Council's Environmental Health Department and the Food Hygiene Regulations 1974.

## **7.0 Specific Provisions for Tables and Chairs and Planter Boxes**

- 7.1 Tables and chairs and planter boxes must be contained in the zone in front of the applicant premises at all times.

- 7.2 Furniture and boxes must be designed and maintained in a safe condition, be easily removed and not damage the existing footpath.
- 7.3 Tables must be no larger than to allow a maximum of four chairs around each table at any time.
- 7.4 It is the responsibility of the operator to ensure any items placed on the footpath do not cause damage to the Council assets.
- 7.5 The maximum number of tables and chairs approved will be determined by the available space in front of the premises.
- 7.6 The maximum size of planter boxes shall be determined by the Council staff after assessing the location of the proposed boxes in relation to footpath width and pedestrian density.
- 7.7 The owner of the premises is solely responsible for ensuring the tables and chairs and planter boxes remain placed in accordance with the approved plan. Non-complying placement of tables and chairs and planter boxes will be deemed to be 'non-complying objects'.
- 7.8 Premises licensed pursuant to the Sale of Liquor Act 1989 may use tables and chairs as an extension of the licensed area at the discretion of the District Licensing Agency so long as there is no reported problem with this use. Such pleasure will be withdrawn immediately if a problem is brought to the attention of the District Licensing Agency.

## **8.0 Removal of Non-complying Objects**

- 8.1 Monitoring of this policy is the responsibility of the Development Services Manager.
- 8.2 Premises' occupiers with objects placed on the footpath that are not permitted or are non-complying will be served with a notice to remove the non-complying object within two hours of the notice being issued.
- 8.3 Where any occupier fails to comply with the notice an officer of the Council may have the object removed. The cost incurred in removing the object shall be recovered as a debt against the owner.
- 8.4 Premises occupiers who repeatedly place non-complying objects on the footpath will be deemed to have failed to comply with the notice and the objects will be removed.
- 8.5 Any object removed will be released to the occupier on payment of the costs incurred in its removal and storage.
- 8.6 Objects unclaimed after one month from the time of removal may be sold or otherwise disposed of by the Council. If sold, any proceeds of the sale in excess of the costs of removal and storage shall be paid to the owner.
- 8.7 The Council may dispose of any perishable goods not claimed within 24 hours.

## **9.0 Application for Permit**

- 9.1 All applications for permits must be made to the Customer Services Agency at the Dunedin City Council on the prescribed form.
- 9.2 Applications are approved by the Development Services Manager.
- 9.3 A signed 'Liability Agreement' will accompany all applications.



- 9.4 A site plan indicating the proposed location of the sign, display of goods, screens or tables and chairs must be provided.
- 9.5 All permits for portable signs, goods, screens and planter boxes shall expire after **five** calendar years or whenever a premises changes ownership, whichever is the sooner.
- 9.6 All permits for tables and chairs shall expire after **one** calendar year or whenever a premises changes ownership, whichever is the sooner.
- 9.7 Permits may be renewed by application to the Council. The renewal process will remind applicants of their obligations and responsibilities regarding the use of the footpath for commercial purposes.
- 9.8 Permits can be renewed on the prescribed form.
- 9.9 Applications for requests falling outside the policy will be referred to the Planning Department for consideration.

#### **10.0 Fees**

Fees are reviewed annually.

For fee information, refer to the list of Council's "Fees and Charges" in the Annual Plan or visit [www.dunedin.govt.nz](http://www.dunedin.govt.nz).

#### **11.0 Liability Agreement**

- 11.1 The management of the objects placed on the footpath is the sole responsibility of the permit holder.
- 11.2 All applicants must submit a signed Liability Agreement.
- 11.3 The Liability Agreement indemnifies the Council against all actions, liabilities, proceedings, demands, losses, damages, fees, claims, costs and expenses whatsoever incurred or arising out of, or in conjunction with or in consequence of the use of the footpath for the commercial purposes described in this policy.