

14 June 2019

[REDACTED]

Dear [REDACTED]

**Local Government Official Information and Meetings Act 1987 (LGOIMA) request for information on parking tickets for the last five years**

I am writing in response to your request made on 16 May 2019 asking for information on parking tickets for the last five years. The answers to your questions are as follows:

- 1) How many parking tickets has the Council issued

| 1 July – 30 June            | Number of Infringements |
|-----------------------------|-------------------------|
| 2014/15                     | 66,570                  |
| 2015/16                     | 64,268                  |
| 2016/17                     | 66,630                  |
| 2017/18                     | 57,886                  |
| 2018/19 (as at 31 May 2019) | 62,325                  |

- 2) How much money has the Council received in relation to these tickets

| 1 July – 30 June            | Revenue from Infringements |
|-----------------------------|----------------------------|
| 2014/15                     | \$1,991,536                |
| 2015/16                     | \$1,853,425                |
| 2016/17                     | \$1,885,734                |
| 2017/18                     | \$1,889,778                |
| 2018/19 (as at 31 May 2019) | \$1,723,071                |

- 3) How many of these tickets have been for parking without due care or consideration

P117A Inconsiderate Parking; infringement fee is \$60.00

|                             |      |
|-----------------------------|------|
| 2014/15                     | 482* |
| 2015/16                     | 147* |
| 2016/17                     | 29   |
| 2017/18                     | 34   |
| 2018/19 (as at 31 May 2019) | 29   |

\* The Council adopted a bylaw (refer to Dunedin City Council Consolidated Bylaw 2008, clause 13.9.2) for the offence *P923 Parked a vehicle on or over a marking indicating the limits of a parking space*, being a stationary vehicle infringement offence or other offence specified as an infringement offence against the Land Transport Act 1998. The infringement fee for this is \$40.00.

Parking Services started enforcement for this offence on the 17 September 2015.

Data for P923 Parked a vehicle on or over a marking indicating the limits of a parking space below:

|                             |     |
|-----------------------------|-----|
| 2015/16                     | 261 |
| 2016/17                     | 288 |
| 2017/18                     | 248 |
| 2018/19 (as at 31 May 2019) | 344 |

4) How is road user rule 6.1 applied

If there is no other breach of either the Land Transport (Road User) Rule or the Land Transport Act, and the vehicle is parked without due care or without reasonable consideration for other road users, the infringement offence applied is P117A Inconsiderate Parking under the below section of the Land Transport (Road User) Rule 2004 shown below:

***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.*

5) Out of the number of total tickets issued, how many have been appealed

The number of appeals for P923, Parked a vehicle on or over a marking indicating the limits of a parking space, total 153.

6) What have been the reasons given by the applicants for the appeals

8) What have been the reason given for rejecting the appeals? With numbers please

I advise that pursuant to section 17 (f) of the LGOIMA the information requested cannot be made available without substantial collation or research. We have therefore decided to decline this part of your request for information. You may decide to refine this part of your request, which may then enable us to provide you with some information.

7) How many appeals have been rejected? How many have been accepted

|                             | Accepted | Declined |
|-----------------------------|----------|----------|
| 2014/15                     | 0        |          |
| 2015/16                     | 1        | 46       |
| 2016/17                     | 2        | 34       |
| 2017/18                     | 5        | 29       |
| 2018/19 (as at 31 May 2019) | 6        | 30       |

9) Can you please provide an example of an appeal rejection letter

An example of an appeal rejection letter is provided below.

Thank you for contacting us regarding the above infringement, issued on 23 September 2016.

The Land Transport (Road User) Rule 2004 states that a driver or person in charge of a vehicle must not stop, stand or park the vehicle on any part of a road without due care or without reasonable consideration for other road users.

At the time of infringement your vehicle was clearly parked across two marked parking spaces, impeding fair and reasonable access for other road users. At the time of infringement the Parking Officer took a photograph which shows your vehicle. I have enclosed a copy for your reference.

Your explanation has been considered, however the circumstances you have described do not allow for the infringement to be waived.

Please make arrangements to pay \$40.00 on or before 18 November 2016. Payment can be made by posting a cheque to the address above (please quote the infringement number), on our website [www.dunedin.govt.nz/parking-fines](http://www.dunedin.govt.nz/parking-fines) with Visa or MasterCard, or in person at our Customer Services Agency which is open from 8.30am to 5.00pm Monday to Friday.

Yours sincerely

10) What measures are taken to ensure that appeals are heard fairly? For example, are they reviewed by multiple members of staff

Appeals are reviewed by staff within the Customer Service Agency to ensure impartiality to our Parking services team. Guidelines are in place to ensure staff are rotated through this process and are heard fairly. Any letters in response to a declined appeal are reviewed by a different staff member. Refer to the Parking Guidelines attached.

11) How many rejected appeals have gone on to further hearings? I presume that these would be heard by JPs at the District Court but please correct me if I am wrong

|                             |   |
|-----------------------------|---|
| 2014/15                     | 0 |
| 2015/16                     | 0 |
| 2016/17                     | 0 |
| 2017/18                     | 1 |
| 2018/19 (as at 31 May 2019) | 1 |

If no JP was available, it would be heard by a District Court Judge.

- 12) In how many of these Court Hearings has the Council been successful, and in how many has the Council been unsuccessful

|                             | Successful | Unsuccessful |
|-----------------------------|------------|--------------|
| 2014/15                     | n/a        | n/a          |
| 2015/16                     | n/a        | n/a          |
| 2016/17                     | n/a        | n/a          |
| 2017/18                     | 1          | 0            |
| 2018/19 (as at 31 May 2019) | 1          | 0            |

- 13) How much money does it cost the Council when an appeal goes to a district court hearing? With a breakdown of costs, including staff time and any compensation or costs paid to the applicant

This work is done in-house. We do not capture the data in a format that we can provide a breakdown of the costs.

- 14) Have any parking tickets been appealed beyond the district court? If so, please provide details.

None.

- 15) How many official information requests has the Council received in relation to parking tickets

There have been 21 official information requests received in relation to parking tickets since 2014/15 (this does not include this current request). The responses to these requests can be found on the Dunedin City Council website, link provided below:

<https://www.dunedin.govt.nz/council/official-information-lgoima/lgoima-requests>

You are advised that as some information has been withheld you are entitled to seek a review of this decision by the Office of the Ombudsman (0800 802 602) or [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz)

Yours faithfully



Rebecca Murray  
Governance Support Officer