

27 July 2017

Mr Alan Candy
fyi-request-6080-41199354@requests.fyi.org.nz

Dear Mr Candy

Local Government Official Information and Meetings Act 1987

CAS-509123-C3T5G1

Thank you for your email dated 28 June 2017, requesting various information about parking.

1. AT's definition(s) of the word "parking" when it applies to an area (or different areas if AT defines different areas) not being a Pay & Display area. Please spell this out, exactly as it is instructed, communicated, advised, explained and/or detailed to AT's parking enforcement officers. The obtuse legal definition is not the answer being sought as that is available publicly.

Parking

Parking means:

(A) in relation to any portion of a road where parking is for the time being governed by the location of [parking 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

A) relates to Pay and Display, B) relates to all other areas.

Apart from Bus Lane infringements; the Parking Wardens are only warranted for stationary vehicle offences.

2. A copy of the relevant sections of the AT parking enforcement officers Training Manual(s), video(s) or other documents* used for that purpose, as requested in question 1.



The Legal Requirements to Prove Non-Compliance

As a Parking Officer, you are required by law to prove non-compliance by ticking the following 3 boxes.

- It is a Motor Vehicle
- It is on a Road
- It is Committing an Offence

It sounds pretty simple, however to establish this we need to consider the definition of a road, the definition of a motor vehicle and we need to be familiar with the identification of the different types of offence.

Remember, apart from Bus Lane infringements; we are only warranted for Stationary Vehicle Offences.

Let's discuss the definition of Road.....





Handy Hints.....

Officers are required to attach the infringement notice with a rubber band on the left handle of the motorcycle or in the case that the driver/owner is present **HAND** it to the driver.



Do not issue (EVI) infringement notices to MOPED Motorcycles; these are not required to have an EVI as they are under 50cc rating. However, they do have to be registered as a vehicle and display a current (L/Label).

The Legal Definition of Parking

(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 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



3. AT's policy documents* [manual(s), video(s), oral instructions etc] advising and/or instructing AT parking enforcement officers on how they should prioritise their enforcement activities. This may be located in the training materials referred to in Q2. If not, please provide from elsewhere.

Entering your Area

Many areas have unique situations and particular issues to be aware of – ask your Team Supervisor for advice if you are patrolling an area for the first time.

If you have a Log complaint to respond to, do this before commencing your normal duties. Make sure your pay and display machines are operational and there are no signage or road marking problems, which need attention. Report any issues into Traffic as soon as possible. Familiarise yourself with the locations of the bus stops, loading zones, mobility spaces and other restricted areas as these may require more frequent monitoring than the pay and display zones.

Managing different restrictions within your area

It is likely your area will be made up of a variety of restrictions. The best tactic is to divide your area into manageable chunks and to spread your time among all the different restrictions. It is not feasible to try to chalk up your entire area all at once.



The 3 Es' of Parking...

We say that the following things need to be considered to enable us to do our jobs effectively and fairly:

Engineering

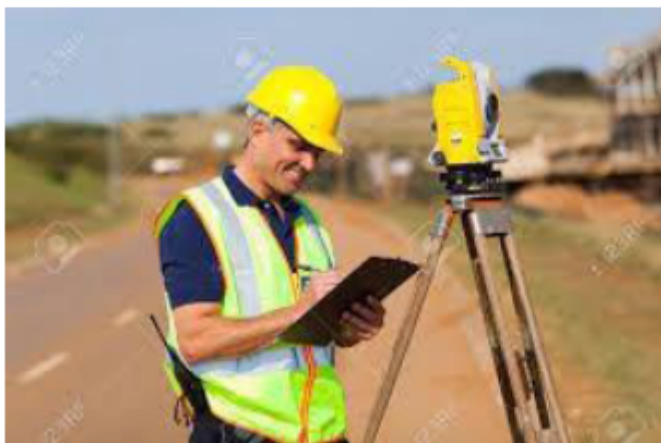
First, our Engineers need to put in the appropriate research and consultation to ensure that our parking restrictions have purpose. They need to also ensure that the signs and road markings that accompany these restrictions, comply with the law so that we are able to legally enforce these restrictions.

Education

It is our practice to keep our road users as informed as possible about the law. Should you have an opportunity to warn members of the public without issuing an infringement notice, please take this opportunity to ask the customer politely to move on.

Enforcement

Enforcement is a necessary tool used to deter those who are unwilling to adhere to the education you have provided or the law.



4. AT's street patrolling Parking Enforcement Officers Performance Monitoring Criteria - commonly known as KPI's, being Known Performance Indicators.

Please refer to next page.

Key Responsibilities	Expected Outcomes
<p>Infringements</p> <ul style="list-style-type: none"> • Ensure infringements issued to non-compliant vehicles support legislative and organisations requirements with high levels of accuracy • Ensure assigned area is managed effectively to support Auckland parking policies and procedures • Provide representation and or additional information to support infringement notices as and when required i.e. public queries, court cases etc. 	<ul style="list-style-type: none"> • Infringements are issues in a consistent, fair and courteous manner • The safe movement of people and goods within Auckland is managed • Effective systems in place to support infringement notices • Infringements are issued in accordance with consolidated bylaws, traffic regulations, transport act, land transport act, local government act and organisations policies and guidelines.
<p>Customer service</p> <ul style="list-style-type: none"> • Ensure public are provided with information regarding council policies, bylaws etc to support infringement notices • Provide responses to customer complaints to support organisation and legislative requirements • To personally demonstrate, deliver and to drive at unit level, a customer centric performance orientation, consistent with the wider Auckland Transport Customer Service philosophy. 	<ul style="list-style-type: none"> • Customer complaints are managed with sensitivity and professionalism • Public educated in parking legislation and consequences of not complying • Customer conflict is managed professionally • Positive customer response through feedback against agreed stated levels of service • Visible display of appropriate behaviours leading to positive customer experiences.
<p>Safety management</p> <ul style="list-style-type: none"> • Ensure a safe environment is provided for self and others by reporting health and safety hazards in managed area i.e. slippery and uneven footpaths etc. 	<ul style="list-style-type: none"> • Safe operating policies and procedures are adhered to • Accidents are identified, reduced and /or eliminated.
<p>Faults</p> <ul style="list-style-type: none"> • Ensure enforcements are facilitated by reporting parking faults i.e. signs, road markings, parking meter etc • Ensure event signs are correctly displayed. 	<ul style="list-style-type: none"> • Contractors notified through communications room protocol • Faults rectified • Parking signs, marking and meters meet required standard.

<p>Political / customer interface</p> <ul style="list-style-type: none"> • Effectively manage, or escalate controversial issues, where there may be numerous perspectives • Utilise effective conflict resolution and relationship management skills • Ensure appropriate and relevant communications are channelled to all affected parties. 	<ul style="list-style-type: none"> • Interactions result in optimal outcomes • Issues are effectively managed or escalated.
<p>Organisational obligations</p> <ul style="list-style-type: none"> • Action Auckland Transport's good employer obligations and equal employment bicultural policies and practices • As an employee of Auckland Transport you are required to be associated, as required, with Civic Defence Emergency Management or any exercise that might be organised in relation to this function • Promote a safe and healthy workplace by undertaking responsibilities as outlined in Auckland Transport's health and safety policy and procedures • Promote activities and initiatives that assist Auckland Transport achieve its vision and mission • Promote one-organisation initiatives and action these service characteristics • As an employee of Auckland Transport you are required to familiarise yourself with and comply with all organisation policies, including but not limited to, the Auckland Transport Code of Conduct. 	<ul style="list-style-type: none"> • Auckland Transport meets its obligations as an employer • Auckland Transport's reputation is enhanced within the community • Health and safety requirements upheld.

5. The Number of Parking Infringement Categories enforced by AT. E.g. Parking in P&D area without displaying receipt, parking in P&D area with expired receipt, parking on footpath, parking on GSV-only Loading Zone, parking in area reserved Disabled Persons, parking on footpath, parking on berm, etc.

57

6. The List of Parking Infringement Categories enumerated above.

Please refer to next page.

OFFENCE

WARNING - NO EVIDENCE OF INSPECTION - PRIVATE VEHICLE
NO EVIDENCE OF INSPECTION – PRIVATE VEHICLE
NO EVIDENCE OF INSPECTION – COMMERCIAL VEHICLE
SMALL PASSENGER SERVICE VEHICLE NOT AVAILABLE FOR HIRE CAUSED OBSTRUCTION
SMALL PASSENGER SERVICE VEHICLE INCONSIDERATELY STOPPED ON ROAD
SMALL PASSENGER SERVICE VEHICLE DRIVER NOT IN ATTENDANCE OF VEHICLE
PARKED WITHIN AN INTERSECTION
PARKED WITHIN 6 METRES OF AN INTERSECTION
PARKED NEAR CORNER BEND RISE DIP TRAFFIC ISLAND OR INTERSECTION
PARKED ON OR NEAR A PEDESTRIAN CROSSING
PARKED IN PROHIBITED AREA
PARKED OVER THE TIME LIMIT
PARKED IN AN AREA MARKED BY A BROKEN YELLOW LINE
PARKED IN AREA RESERVED FOR HIRE OR REWARD VEHICLES
PARKED A VEHICLE WITHIN 6 METRES OF A BUS STOP SIGN
PARKED OBSTRUCTING VEHICLE ENTRANCE
PARKED NEAR FIRE HYDRANT
PARKED BETWEEN FIRE HYDRANT AND ROAD MARKING
DOUBLE PARKED
INCORRECT KERB PARKING - LEFT SIDE OF ROAD
WARNING – FLYER - PARKED ON FOOTPATH OR CYCLE PATH
WARNING - PARKED ON FOOTPATH OR CYCLE PATH
PARKED ON FOOTPATH OR CYCLE PATH
PARKED A TRAILER ON A ROAD OVER 7 DAYS
INCONSIDERATE PARKING
PARKED ON A LOADING ZONE - Vehicle not of class specified on the sign
PARKED ON A LOADING ZONE - Vehicle left unattended for more than authorised maximum time
PARKED ON A LOADING ZONE - Not loading or unloading
INCORRECT ANGLE PARKING
PARKED ON ROADWAY WHEN OFF-ROAD PARK AVAILABLE
PARKED FACING THE WRONG WAY IN ONE WAY STREET
PARKED ON A FLUSH MEDIAN OR TRAFFIC ISLAND
PARKED IN A SPECIAL VEHICLE LANE
PARKED ON A LEVEL CROSSING
PARKED NEAR A LEVEL CROSSING
ANGLE PARKED GOODS VEHICLE DURING HOURS OF DARKNESS
LEFT PASSENGER SERVICE VEHICLE UNATTENDED IN RESERVED STOPPING PLACE
INCORRECT KERB PARKING – ONE-WAY ROAD
PARKED UNLAWFULLY IN A PICK-UP AND DROP-OFF AREA
PARKED IN PAID PARKIN AREA LONGER THAN PAID FOR
PARKED IN PAID PARKING AREA WITHOUT PAYING CORRECT FEE
PARKED IN PAID PARKING AREA WITHOUT FOLLOWING PAYMENT REQUIREMENTS
OPERATED AN UNLICENSED MOTOR VEHICLE – parked vehicle
WARNING - CURRENT LICENCE LABEL NOT AFFIXED IN PRESCRIBED MANNER
CURRENT LICENCE LABEL NOT AFFIXED IN PRESCRIBED MANNER – PARKED VEHICLE
REGISTRATION PLATES NOT AFFIXED IN THE PRESCRIBED MANNER – parked vehicle
DISPLAYED OTHER THAN AUTHORISED REGISTRATION PLATE – parked vehicle
DISPLAYED OTHER THAN AUTHORISED MOTOR VEHICLE LICENSE – PARKED VEHICLE
DISPLAYED ITEM LIKELY TO BE MISTAKEN FOR A PLATE– parked vehicle
DISPLAYED ITEM LIKELY TO BE MISTAKEN FOR A LICENSE – parked vehicle
OBSCURED OR INDISTINGUISHABLE REGISTRATION PLATE – parked vehicle
OBSCURED OR INDISTINGUISHABLE LICENSE LABEL – PARKED VEHICLE
PARKED IN A CLEARWAY
PARKED IN AREA RESERVED FOR DISABLED PERSONS
FAILED TO DISPLAY RED MARKER LIGHT ON A GOODS SERVICE VEHICLE
OPERATED VEHICLE WITH A DAMAGED TYRE
OPERATED VEHICLE WITH A SMOOTH TYRE

7. Number of GSV-only Loading Zones in the AT patrolled / enforcement area.

Your request for information is refused under Section 17(e) of the Local Government Official Information and Meeting Act 1987 (LGOIMA) as the information does not exist.

8. Number of Bus Stops in the AT patrolled / enforcement area.

We are following up on this question for you and you should receive a response by 4 August 2017.

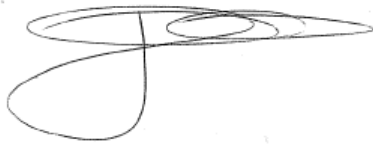
9. Number of Disabled Persons parking places in the AT patrolled / enforcement area.

AT has recorded that there are 264 on-street mobility parking spaces across Auckland in 127 different locations.

We trust the above information has addressed your request however should you believe that we have not dealt with your request appropriately, you have the right in accordance with section 27(3) of the LGOIMA to make a complaint to the Office of the Ombudsman and seek an investigation and review in regard to this matter.

If you have any further queries, please contact Auckland Transport on 09 355 3553 quoting Official Information request number CAS-509123-C3T5G1.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Strawbridge', with a stylized, looped structure.

John Strawbridge
Manager, Parking Services