

29 April 2021

[REDACTED]
[REDACTED]

Tēnā koe [REDACTED]

Request for Information – Local Government Official Information and Meetings Act 1987

We refer to your official information request dated 29 March 2021 for the following:

Can you please provide me with either a document or a link to your parking policies that relate to residential streets with no parking controls (e.g. time limits, residents only zones). The document/link needs to include the grounds on which fines/infringement notices may be given out. This could be the specific bylaws/policies, or an explanation of the bylaws.

Your request has been interpreted to relate to a 'clean' road, one where there are no signs and/or markings that are used for enforcement purposes. The road can include centerlines, edge lines and intersection controls (such as Stop or Give Way), along with any directional aids. Please refer to Appendix 1.

We have included links to and excerpt from the legislation, regulations and bylaw information as they are related to your question.

Hutt City Council's Traffic Bylaw 2017;

This document is publically available on our website through this link. Please see below an excerpt as it relates to your question.

<http://iportal.huttcity.govt.nz/Record/ReadOnly?Query=container:%5buri:3671067%5d%20&Tab=31&Uri=4734661&Page=1>

24. Restrictions By Resolution

If a prohibition, restriction, control or direction is already provided for in an enactment or Land Transport Rule, a Council resolution is not required.

The following prohibitions and/or restrictions are already provided for, and enforced without the need for a Council Bylaw and associated resolution.

[Land Transport \(Road User\) Rule 2004 – Stationery Vehicle Infringements](#)

[Part 6 – Stopping and Parking](#)

[6.1 Vehicles must be parked with due care and consideration](#)

[6.2 Parking Vehicles off roadway](#)

[6.3 Parking close to corners, bends, etc](#)

[6.9 Obstructing vehicle entrances and exits](#)

[6.11 Double parking](#)

[6.12 Parallel parking](#)

[6.14 Parking on footpaths or cycle paths](#)

[6.18 Parking goods vehicle at angle during hours of darkness](#)

[6.19 Parking trailers on roadway](#)

[6.20 Exceptions under this Part](#)

(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.

[Land Transport Act 1998](#)

[Section 34 Contravention of Section 6](#) – as it relates to Section 242, Motor Vehicles must be registered and warranted. The authority associated with warranted parking wardens are found in [Section 128E of the Land Transport Act 1998](#).

Fines/infringement notices

Infringement notices can be issued as set out in the Land Transport (Offences and Penalties) Regulations 1999, see link below.

<https://www.legislation.govt.nz/regulation/public/1999/0099/latest/DLM280197.html>

Tread pattern and tread depth

Please see information on this through the link below. An excerpt has been copied as it relates to your question.

<https://www.nzta.govt.nz/resources/rules/tyres-and-wheels-2001#23>

2.3(13) Except as otherwise provided in this clause, a tyre on a motor vehicle must have a tread pattern, excluding any tie-bar or tread-depth indicator strip, of not less than 1.5 mm in depth across at least three-quarters of the width of the tread and around the entire circumference of the tyre.

If you would like to discuss this request further please get in contact via the email address informationmanagementteam@huttcity.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Please note that this letter (with your personal details removed) may be published on the Council's website.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'Charles Agate', with a stylized flourish at the end.

Charles Agate
Traffic Asset Manager (Acting)