

LGOIMA

When releasing responses to previous LGOIMA requests, names of individual requestors may be withheld to protect their privacy.

Information requested by the media, from public sector organisations and MPs will always be published while information specific to an individual or their property will not generally be published.

**Request
from:**

██████████

For: Parking Infringements

**Response
by:**

Brent Edwards, Manager Environmental Inspections

From: Brent Edwards
Sent: Thursday, 23 May 2019 1:05 PM
To: [REDACTED]
Subject: FW: Information Request
Attachments: 525667ER201905221343.pdf

Kia Ora [REDACTED]

I refer to your official information request below, received by Nelson City Council on 16 May 2019 for information relating to parking infringements.

Please find below the information requested.

1) How many parking tickets has the Council issued?

Year	14/15	15/16	16/17	17/18	18/19 (to 21 May)
Issued	25965	22981	19551	17281	11526

2) How much money has the Council received in relation to these tickets? ie the total amount of paid fines.

Year	14/15	15/16	16/17	17/18	18/19 (to 21 May)
Amount	\$487,644	\$483,669	\$360,882	\$353,234	\$252,791

3) How is road user rule 6.1 applied? Eg is it an objective or subjective standard?

Parking Wardens issue infringement notices if they form the opinion that the offence has occurred. This is applied objectively and is normally based on their observations.

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

Year	14/15	15/16	16/17	17/18	18/19 (to 21 May)
Appealed	2124	2031	1653	1778	1699

5) What have been the reasons given by the applicants for the appeals? With numbers please.

There are a huge variety of reasons given. The reasons are not categorised in council data.

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

Year	14/15	15/16	16/17	17/18	18/19 (to 21 May)
Declined	725	751	449	446	283
Accepted	1399	1280	1204	1332	1416

7) What have been the reasons given for rejecting the appeals? With numbers please.

There are a huge variety of reasons for declining or accepting appeals and the reasons are not categorised in council data.

8) Can you please provide an example of an appeal rejection letter?

Please find an example attached

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

An appeal is received and assessed against a set of cancellation guidelines by an Administration Officer. The Administration Officer makes a recommendation and refers the final decision to the Team Leader of Parking.

10) 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.

Year	14/15	15/16	16/17	17/18	18/19
Amount	5	6	2	4	2

Correct, hearings are presided over by either JP's or a District Court Judge

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

Year	14/15	15/16	16/17	17/18
Amount	all successful	5 Successful, 1 unsuccessful	all successful	3 Successful, 1 unsuccessful

12) 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.

The costs are not recorded, however there are no additional costs to council for a court hearing beyond staff time. Staff time can vary greatly depending on how busy the court is and the length of the hearing.

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

No

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

6 in the last 5 years

If you wish to discuss the information provided please feel free to contact me.

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.

Kind regards

Brent Edwards

Manager Environmental Inspections

Nelson City Council | Te Kaunihera o Whakatū

P [REDACTED] [REDACTED]
nelson.govt.nz

From: [REDACTED]
Sent: Thursday, 16 May 2019 6:45 p.m.
To: Council Enquiries (Enquiry) <NCCEnquiry@ncc.govt.nz>
Subject: Information Request

Kia ora

I would like to make an official information request in relation to parking tickets.

Please answer the following questions dating back five years, broken down year by year.

- 1) How many parking tickets has the Council issued?
- 2) How much money has the Council received in relation to these tickets? Ie the total amount of paid fines.
- 3) How many of these tickets have been for parking without due care or consideration (ie how many tickets have been given for contravening road user rule 6.1)?
- 4) How is road user rule 6.1 applied? Eg is it an objective or subjective standard?
- 5) Out of the number of total tickets issued, how many have been appealed?
- 6) What have been the reasons given by the applicants for the appeals? With numbers please.

- 7) How many appeals have been rejected? How many have been accepted?
- 8) What have been the reasons given for rejecting the appeals? With numbers please.
- 9) Can you please provide an example of an appeal rejection letter?
- 10) What measures are taken to ensure that appeals are heard fairly? For example, are they reviewed by multiple members of staff?
- 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.
- 12) In how many of these Court Hearings has the Council been successful, and in how many has the Council been unsuccessful?
- 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.
- 14) Have any parking tickets been appealed beyond the district court? If so, please provide details.
- 15) How many official information requests has the Council received in relation to parking tickets?

Kind regards,

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